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LEGISLATURE OF THE STATE OF IDAHO
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AN ACT

1 RELATING TO THE FINANCES OF LOCAL GOVERNMENTAL ENTITIES AND EDUCATION
2 PROVIDERS; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 4, TITLE
3 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-448, IDAHO CODE,
4 TO ESTABLISH THE OVERSIGHT COMMITTEE ON UNIFORM ACCOUNTING FOR LOCAL
5 GOVERNMENTAL ENTITIES AND TO PROVIDE FOR ITS MEMBERSHIP, RESPONSIBIL-
6 ITIES, AND MEMBER COMPENSATION; AMENDING CHAPTER 10, TITLE 67, IDAHO
7 CODE, BY THE ADDITION OF A NEW SECTION 67-1075, IDAHO CODE, TO PRO-
8 VIDE FOR THE DUTY OF THE STATE CONTROLLER WITH REGARD TO THE UNIFORM
9 ACCOUNTING MANUAL FOR LOCAL GOVERNMENTAL ENTITIES; AMENDING SECTION
10 67-450E, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE LOCAL GOV-
11 ERNMENTAL ENTITIES CENTRAL REGISTRY AND TO REDESIGNATE THE SECTION;
12 AMENDING SECTION 31-1509, IDAHO CODE, TO REVISE PROVISIONS REGARDING
13 THE COUNTY ACCOUNTING SYSTEM; AMENDING SECTION 31-1602, IDAHO CODE,
14 TO REVISE PROVISIONS REGARDING THE DUTIES OF A COUNTY BUDGET OFFICER;
15 AMENDING SECTION 31-1604, IDAHO CODE, TO REVISE PROVISIONS REGARD-
16 ING THE APPROVAL OF A COUNTY BUDGET; AMENDING SECTION 31-1606, IDAHO
17 CODE, TO REVISE PROVISIONS REGARDING THE REPORTING OF EXPENDITURES BY A
18 COUNTY BUDGET OFFICER; AMENDING SECTION 31-2101, IDAHO CODE, TO REVISE
19 PROVISIONS REGARDING THE DUTIES OF A COUNTY TREASURER; AMENDING SECTION
20 31-3620, IDAHO CODE, TO REVISE PROVISIONS REGARDING COUNTY HOSPITAL AC-
21 COUNTING RECORDS; AMENDING SECTION 33-357, IDAHO CODE, TO DEFINE TERMS,
22 TO PROVIDE FOR POSTING CERTAIN RECORDS ON AN INTERNET-BASED WEBSITE, TO
23 REVISE PROVISIONS REGARDING CERTAIN DATA, AND TO PROVIDE DUTIES OF THE
24 STATE CONTROLLER AND EDUCATION PROVIDERS; AMENDING SECTION 39-414A,
25 IDAHO CODE, TO REVISE PROVISIONS REGARDING AUDITS OF HEALTH DISTRICT
26 FINANCES; AMENDING SECTION 50-208, IDAHO CODE, TO REVISE PROVISIONS RE-
27 GARDING THE DUTIES OF A CITY TREASURER; AMENDING SECTION 50-1002, IDAHO
28 CODE, TO REVISE PROVISIONS REGARDING THE PREPARATION OF A CITY BUDGET;
29 AMENDING SECTION 50-2006, IDAHO CODE, TO REVISE PROVISIONS REGARDING
30 FINANCIAL REPORTS BY URBAN RENEWAL AGENCIES; AMENDING SECTION 67-450C,
31 IDAHO CODE, TO REVISE PROVISIONS REGARDING INDEPENDENT FINANCIAL AU-
32 DITS OF CERTAIN ORGANIZATIONS; AMENDING SECTION 67-450D, IDAHO CODE,
33 TO REVISE PROVISIONS REGARDING INDEPENDENT FINANCIAL AUDITS OF CERTAIN
34 ENTITIES; AMENDING SECTION 67-702, IDAHO CODE, TO REVISE THE DUTIES OF
35 THE LEGISLATIVE SERVICES OFFICE; AMENDING SECTION 67-1001, IDAHO CODE,
36 TO REVISE THE DUTIES OF THE STATE CONTROLLER; AND PROVIDING AN EFFECTIVE
37 DATE.
38

39 Be It Enacted by the Legislature of the State of Idaho:

40 SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to
41 provide for uniform accounting, budgeting, and financial reporting proce-
42 dures for counties, cities, urban renewal agencies, and all other local dis-
43 tricts. It is the purpose of this act to enable such local governmental enti-

1 ties to provide comparable data by the use of uniform accounting, budgeting,
2 and financial reporting procedures. It is also the intent of the Legislature
3 to exclude education providers, as that term is defined in section 33-357,
4 Idaho Code, from the provisions of the uniform accounting procedures created
5 by the state controller but to provide their financial data on the same web-
6 site to enhance public access to the education provider financial data. It
7 is also the intent of the Legislature to ensure uniform auditing of health
8 district finances.

9 SECTION 2. That Chapter 4, Title 67, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 67-448, Idaho Code, and to read as follows:

12 67-448. OVERSIGHT COMMITTEE ON UNIFORM ACCOUNTING FOR LOCAL GOVERN-
13 MENTAL ENTITIES. (1) In order to provide for uniform and transparent finan-
14 cial data of local governmental entities to better inform lawmakers, deci-
15 sionmakers, and citizens, there is hereby established the oversight commit-
16 tee on uniform accounting for local governmental entities.

17 (2) The committee shall consist of seven (7) members comprised as fol-
18 lows:

19 (a) Three (3) members of the senate, one (1) of whom shall be the chair-
20 person of the senate local government and taxation committee or his de-
21 signee, one (1) from the majority party appointed by the president pro
22 tempore of the senate and one (1) from the minority party appointed by
23 the minority leader;

24 (b) Three (3) members of the house of representatives, one (1) of whom
25 shall be the chairperson of the house revenue and taxation committee or
26 his designee, one (1) from the majority party appointed by the speaker
27 of the house and one (1) from the minority party appointed by the minor-
28 ity leader; and

29 (c) The state controller or his designee.

30 (3) The cochairs of the oversight committee shall be the chairperson
31 of the senate local government and taxation committee and the chairperson
32 of the house revenue and taxation committee or their designees. Legislative
33 appointments to the committee shall be for the term of office of the member
34 appointed. The state controller or his designee shall serve for the term of
35 office of the state controller, at the pleasure of the state controller. Any
36 vacancy shall be filled in a manner consistent with the appointment proce-
37 dure set forth in this section, except the appointment shall be for the re-
38 mainder of the unexpired term. A committee member may be reappointed to the
39 committee.

40 (4) The cochairs may appoint advisors with expertise in the fiscal af-
41 fairs, including accounting and auditing responsibilities, of local govern-
42 mental entities. Any advisors to the committee shall not receive compensa-
43 tion and shall not have voting privileges.

44 (5) The committee shall have as its primary duty and responsibility the
45 collaborative task of developing, approving, monitoring, and revising as
46 needed the uniform accounting, budgeting, and financial reporting system
47 and manual for local governmental entities, pursuant to section 67-1075,

1 Idaho Code. The committee shall by a simple majority approve the uniform ac-
2 counting manual for local governmental entities and any revisions thereto.

3 (6) Legislative members of the committee shall be compensated from the
4 legislative account on order of the president pro tempore of the senate or
5 the speaker of the house of representatives at the rates applicable for com-
6 mittee members of the legislative council. No compensation shall be paid to
7 the state controller, but his designee, if not a state government employee,
8 shall be reimbursed as provided in section 59-509(q), Idaho Code.

9 (7) The committee may direct the legislative services office to perform
10 an audit on a local governmental entity, as defined in section 67-1076, Idaho
11 Code.

12 SECTION 3. That Chapter 10, Title 67, Idaho Code, be, and the same is
13 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
14 ignated as Section 67-1075, Idaho Code, and to read as follows:

15 67-1075. UNIFORM ACCOUNTING PRACTICES AND PROCEDURES -- LOCAL GOVERN-
16 MENTAL ENTITIES. (1) It shall be the duty of the state controller to ensure a
17 uniform system of accounting for local governmental entities, as defined in
18 section 67-1076, Idaho Code, and to create and maintain a uniform account-
19 ing manual for local governmental entities that reflects current generally
20 accepted accounting principles, with the assistance and approval of the
21 oversight committee on uniform accounting for local governmental entities
22 pursuant to section 67-448, Idaho Code. The manual shall define and classify
23 the various funds, accounts, grants, and other financial structures by ac-
24 count title as necessary for the uniform reporting of accounting, budgeting,
25 and financial reporting information, including estimated and actual rev-
26 enues and expenditures. All local governmental entities as defined in sec-
27 tion 67-1076, Idaho Code, shall comply with the reporting standards and re-
28 quirements established under this section and section 67-1076, Idaho Code.

29 (2) The state controller shall create a public website for the report-
30 ing of local governmental entities' accounting, budgeting, and financial
31 data in order to provide leaders, decision-makers, and citizens easy access
32 to search, view, and compare data across the state. The state controller
33 shall have the flexibility to create a staggered phase project implementa-
34 tion schedule but shall have the online program fully functional by January
35 1, 2025. The state controller shall provide a progress report on the im-
36 plementation of the programs outlined in this section to the legislature on
37 behalf of the oversight committee on uniform accounting for local governmen-
38 tal entities annually until the project has been fully implemented.

39 (3) The public website created and maintained by the state controller
40 pursuant to this section shall additionally provide access to education
41 provider financial information. Such data may be integrated with or main-
42 tained separately from the local governmental entity data, in the discretion
43 of the state controller.

44 SECTION 4. That Section 67-450E, Idaho Code, be, and the same is hereby
45 amended to read as follows:

1 ~~67-450E~~1076. LOCAL GOVERNING GOVERNMENTAL ENTITIES CENTRAL REGISTRY
2 -- REPORTING INFORMATION REQUIRED -- PENALTIES FOR FAILURE TO REPORT. In
3 addition to the provisions applicable to local ~~governing~~ governmental
4 entities found in section 67-450B, Idaho Code, the provisions of this
5 section shall also apply to local ~~governing~~ governmental entities. For
6 purposes of section 67-1075, Idaho Code, and this section, "local ~~governing~~
7 governmental entity" shall ~~have the same meaning as provided in section~~
8 ~~67-450B, Idaho Code. The term local governing entity shall also include,~~
9 ~~without limitation, all cities, counties, entities governed by chapter 20,~~
10 ~~title 50, Idaho Code, authorities, and districts organized as separate legal~~
11 ~~and reporting entities under Idaho law, and includes the councils, commis-~~
12 ~~sions, and boards as appointed or elected and charged with fiscal management~~
13 ~~responsibilities of the local governmental entity. If a local governing~~
14 ~~governmental entity is governed by the provisions of section 33-701, Idaho~~
15 ~~Code, such entity shall not be required to comply with the provisions of this~~
16 ~~section.~~

17 (1) (a) There is hereby established a central registry and reporting
18 portal ("registry") on the ~~legislative services office~~ state con-
19 troller's website. The registry and reporting portal shall serve as the
20 unified location for the reporting of and access to administrative and
21 financial information of local ~~governing~~ governmental entities in this
22 state. ~~To establish a complete list of all local governmental entities~~
23 ~~operating in Idaho, on the effective date of this legislation and so~~
24 ~~that the registry established will be comprehensive, e~~Every existing
25 ~~local governing governmental entity shall register with the state reg-~~
26 ~~istry. For calendar year 2015, the submission of information required~~
27 ~~by subsection (2) of this section shall occur prior to March 1, 2015,~~
28 ~~and shall be in the form and format required by the legislative services~~
29 ~~office. In addition to the information required by this section for the~~
30 ~~March 1, 2015, filing deadline, the entity shall report the date of its~~
31 ~~last independent audit. The registry listing will be available on the~~
32 ~~legislative services office~~ state controller's website by January 1,
33 2016~~22~~.

34 (b) The county clerk shall notify each local ~~governing~~ governmental en-
35 tity of the requirements of this section.

36 (c) ~~After March 1, 2015, and on or before December 1 of e~~Each year, ac-
37 ording to the schedule set forth in the uniform accounting manual for
38 local governmental entities authorized under section 67-1075, Idaho
39 Code:

40 (i) The state tax commission shall submit a list to the
41 ~~legislative services office~~ state controller of all taxing dis-
42 tricts within the state; and

43 (ii) The county clerk of each county shall submit a list to the
44 ~~legislative services office~~ state controller of all taxing dis-
45 tricts in the county and any other local ~~governing~~ governmental
46 entities that are authorized to impose fees, or assessments or to
47 receive property tax money within the county.

48 (2) On or before December 1 of each year, every local ~~governing~~
49 governmental entity shall submit to the online central registry and report-
50 ing portal the following information:

- 1 (a) Administrative information:
- 2 (i) The terms of membership and appointing authority for the gov-
- 3 erning board member of the local governmental entity;
- 4 (ii) The official name, mailing address, and electronic mailing
- 5 address of the entity;
- 6 (iii) The fiscal year of the entity; and
- 7 (iv) Except for cities and counties, the section of Idaho Code un-
- 8 der which the entity was established, the date of establishment,
- 9 the establishing entity, and the statute or statutes under which
- 10 the entity operates, if different from the statute or statutes un-
- 11 der which the entity was established.
- 12 (b) Financial information:
- 13 (i) The most recent adopted budget of the entity; and
- 14 (ii) An unaudited comparison of the budget to actual revenues and
- 15 expenditures for the most recently completed fiscal year.
- 16 (c) Bonds or other debt obligation information:
- 17 (i) The cumulative dollar amount of all bonds or other debt obli-
- 18 gations issued or incurred by the entity; and
- 19 (ii) The average length of term of all bond issuances or other debt
- 20 obligations and the average interest rate of all bonds or other
- 21 debt obligations.
- 22 (d) Within five (5) days of submitting to the central registry the in-
- 23 formation required by this subsection, the local governing entity shall
- 24 notify the entity's appointing authority, if the entity has an appoint-
- 25 ing authority, that it has submitted such information.
- 26 (e) If any information provided by an entity as required by this subsec-
- 27 tion changes during the year, the entity shall update its information on
- 28 the registry within thirty (30) days of any such change.
- 29 (f) All reasonable fees, costs, and other expenses incurred assisting
- 30 local ~~governing~~ governmental entities in compiling the reporting in-
- 31 formation required by this section may be charged by the county against
- 32 the local ~~governing~~ governmental entity requesting the county's ser-
- 33 vice. An entity may request assistance from the county to comply with
- 34 provisions of this section but the county is under no obligation to
- 35 provide such assistance. For purposes of this section, reasonable fees
- 36 and costs shall include, but not be limited to, the labor costs, mate-
- 37 rial costs, and copying costs incurred while assisting local ~~governing~~
- 38 governmental entities to comply with this section. Such fees and costs
- 39 may be deducted from any distributions of taxes, fees, or assessments
- 40 collected by the county on behalf of the local ~~governing~~ governmental
- 41 entity.
- 42 (3) Audits required by sections 67-450B, 67-450C, and 67-450D, Idaho
- 43 Code, will be submitted to the online portal and provided by the state con-
- 44 troller's office to the legislative services office.
- 45 (4) Notification and penalties.
- 46 (a) If a local ~~governing~~ governmental entity fails to submit infor-
- 47 mation required by this section or submits noncompliant information
- 48 required by this section, the ~~legislative services office~~ state con-
- 49 troller shall notify the entity immediately after the due date of the
- 50 information that either the information was not submitted in a timely

1 manner or the information submitted was noncompliant. The local
2 governing governmental entity shall then have thirty (30) days from the
3 date of notice to submit the information or notify the ~~legislative ser-~~
4 ~~vice~~ office state controller that it will comply by a time certain.

5 (b) No later than September 1 of any year, the ~~legislative services of-~~
6 ~~ice~~ state controller shall notify the appropriate board of county com-
7 missioners and the state tax commission of the entity's failure to com-
8 ply with the provisions of this section. Upon receipt of such notifica-
9 tion, the board of county commissioners shall place a public notice in a
10 newspaper of general circulation in the county indicating that the en-
11 tity is noncompliant with the legal reporting requirements of this sec-
12 tion. The county commissioners shall assess to the entity the cost of
13 the public notice. Such costs may be deducted from any distributions
14 of taxes, fees, increment financing, or assessments collected by the
15 county on behalf of the local governing governmental entity. For any
16 noncomplying entity, the ~~legislative services office~~ state controller
17 shall notify the board of county commissioners and the state tax commis-
18 sion of the compliance status of such entity by September 1 of each year
19 until the entity is in compliance.

20 (c) A local governing governmental entity that fails to comply with
21 this section shall be prohibited from including in its budget any bud-
22 get increase otherwise permitted by either subsection (1) (a) or (e) of
23 section 63-802, Idaho Code.

24 (d) In addition to any other penalty provided in this section, ~~in~~ during
25 any failure to comply with this section, the state tax commission shall
26 withhold the annual distribution of sales tax distribution pursuant
27 to section 63-3638(10), Idaho Code, for any noncomplying entity. The
28 state tax commission shall withhold and retain such money in a reserve
29 account until the ~~legislative services office~~ state controller certi-
30 fies that the entity has complied with the provisions of this section,
31 at which point the state tax commission shall pay any money owed to the
32 local governing governmental entity previously in violation of this
33 section.

34 (e) For any local governing governmental entity that is a ~~non-taxing~~
35 nontaxing district, including entities established pursuant to title
36 50, Idaho Code, upon notification to the board of county commissioners
37 from the ~~legislative services office~~ state controller of noncompliance
38 by such entity, the board of county commissioners shall ~~convene to de-~~
39 ~~termine appropriate compliance measures including, but not limited to,~~
40 ~~the following:~~

- 41 ~~(i) Require a meeting of the board of county commissioners and the~~
42 ~~entity's governing body wherein the board of county commissioners~~
43 ~~shall require compliance of this section by the entity;~~
- 44 ~~(ii) Assess a noncompliance fee on the noncomplying entity. Such~~
45 ~~fee shall not exceed five thousand dollars (\$5,000). Such fees~~
46 ~~and costs may be deducted from~~ withhold from the noncomplying en-
47 tity any distributions of taxes, fees, increment financing, or as-
48 essments collected by the county on behalf of the local governing
49 governmental entity until such time as the entity is in compliance
50 with the requirements of this section and section 67-1075, Idaho

1 ~~Code. The amount of any such fee shall not be passed on to persons~~
2 ~~subject to the jurisdiction of the entity in the form of adjust-~~
3 ~~ments to any fee or assessment imposed or collected by the entity.~~
4 ~~Any fee collected shall be deposited into the county's current ex-~~
5 ~~penditure fund;~~
6 ~~(iii) Cause a special audit to be conducted on the entity at the~~
7 ~~cost of the entity.~~

8 (5) The provisions of this section shall have no impact or effect upon
9 reporting requirements for local governing governmental entities relating
10 to the state tax commission.

11 SECTION 5. That Section 31-1509, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 31-1509. ACCOUNTING SYSTEM. The system for accounting of receipts,
14 expenditures and reporting in each county shall meet the criteria of gen-
15 erally accepted accounting principles or the governmental accounting
16 standards board and as the same may be hereafter amended and revised and
17 shall conform to the provisions of the uniform accounting manual for local
18 governmental entities as authorized by section 67-1075, Idaho Code.

19 SECTION 6. That Section 31-1602, Idaho Code, be, and the same is hereby
20 amended to read as follows:

21 31-1602. DUTIES OF BUDGET OFFICER -- ESTIMATE OF EXPENSES. (1) The
22 county auditor of each county in this state shall be the budget officer of
23 his county, and, as such budget officer, it shall be his duty to compile and
24 prepare a preliminary budget for consideration by the county commissioners
25 of his county, and upon the adoption of the final budget, as hereinafter pro-
26 vided, it shall be his duty to see that the provisions thereof are complied
27 with.

28 (2) On or before the first Monday in May of each year, the county bud-
29 get officer shall notify, in writing, each county official, elective or
30 appointive, in charge of any office, department, service, agency or institu-
31 tion of the county, to file with such budget officer, on or before the third
32 Monday in May thereafter, an itemized estimate showing both the probable
33 revenues from sources other than taxation that will accrue to his office,
34 department, service, agency or institution during the fiscal year, to which
35 the budget is intended to apply, and all expenditures required by such of-
36 fice, department, service, agency, or institution, for the same period,
37 together with a brief explanatory statement of the request.

38 (3) Said estimates and reports shall be submitted upon forms furnished
39 by the budget officer showing the entire revenues and expenditures under
40 each classification and subdivision thereof for the two (2) preceding fiscal
41 years, the amount actually received and expended to the second Monday of
42 April of the current fiscal year, and the estimated total receipts and expen-
43 ditures for the current fiscal year and show any and all estimated balances,
44 at the end of the current fiscal year, in any appropriation available and
45 applicable to the functions performed by such office, department, service,
46 agency or institution.

1 (4) Said estimates of probable expenditures shall be under classifica-
 2 tions set by the board of county commissioners, to include, at a minimum, the
 3 "Salaries, Benefits, and Detail of Other Expenses." established in the uni-
 4 form accounting manual for local governmental entities pursuant to section
 5 67-1075, Idaho Code.

6 (5) If any county official, elective or appointive, in charge of any of-
 7 fice, department, service, agency or institution has had, or contemplates
 8 having, any expenditures, the reports of which ~~can not~~ cannot be properly
 9 made under any of the ~~above~~ classifications set forth in the uniform account-
 10 ing manual for Idaho local governmental entities, the same shall be reported
 11 in detail in addition to the information provided for in said forms.

12 (6) Any official or employee failing or refusing to furnish said esti-
 13 mates or information within the time ~~hereinabove~~ provided in this section
 14 shall pay a penalty of not less than ten dollars (\$10.00) nor more than fifty
 15 dollars (\$50.00) as may be determined by order of the board of county com-
 16 missioners, said penalty to be deducted by the county auditor from the next
 17 salary warrant due such official or employee and credited to the current ex-
 18 pense fund of said county.

19 (7) In the event of the absence, failure or disability of any official
 20 or employee required to furnish estimates and information, as ~~hereinabove~~
 21 provided in this section, the budget officer may designate any person tem-
 22 porarily in charge of such office, department, service, agency or institu-
 23 tion to furnish said estimates and information required by this ~~act~~ chapter.
 24 Provided, however, if for any cause said estimates and information are not
 25 filed with the budget officer in proper time to be included in the county bud-
 26 get hereinafter provided for, the budget officer shall prepare an estimate
 27 of expenditures for any such office, department, service, agency, or insti-
 28 tution, so failing to file its estimate, and such estimate so prepared by the
 29 budget officer and approved by the county commissioners shall be the budget
 30 for that office, department, service, agency or institution for the fiscal
 31 year to which the budget is intended to apply.

32 SECTION 7. That Section 31-1604, Idaho Code, be, and the same is hereby
 33 amended to read as follows:

34 31-1604. APPROVAL OF TENTATIVE APPROPRIATIONS -- NOTICE -- FINAL AP-
 35 PROPRIATIONS. (1) The suggested budget prepared by the county budget offi-
 36 cer as ~~hereinabove~~ provided in this chapter, together with the estimates and
 37 information furnished by the various offices, departments, services, agen-
 38 cies and institutions of the county, shall be submitted by said county budget
 39 officer to the board of county commissioners of his county on or before the
 40 first Monday in August of each year; said county commissioners shall convene
 41 to consider said proposed budget in detail and make any alterations allow-
 42 able by law and which they deem advisable, and agree upon a tentative amount
 43 to be allowed and appropriated for the ensuing fiscal year to each office,
 44 department, service, agency or institution of the county. Such allowances
 45 or appropriations shall be made under the classifications of:

46 "Salaries" or "Salaries and Benefits," and
 47 "Detail of Other Expenses," or "Detail of Other Expenses and Benefits,"
 48 and may include "Benefits," as a separate category as hereinafter provided

1 set forth in the uniform accounting manual for local governmental entities
2 authorized under section 67-1075, Idaho Code.

3 (2) When the commissioners have agreed on such tentative appropria-
4 tions, the county budget officer, not later than the third week in August,
5 shall cause notice to be published setting forth the amount of anticipated
6 revenue from property taxes and the total of revenues anticipated from
7 sources other than property taxes and the amount proposed to be appropriated
8 to each office, department, service, agency or institution for the ensuing
9 fiscal year, in ~~not less than two (2) classifications and which shall include~~
10 ~~"Salaries," or "Salaries and Benefits," and "Detail of Other Expenses," or~~
11 ~~"Detail of Other Expenses and Benefits," and which may include "Benefits" as~~
12 ~~a separate classification prescribed by the uniform accounting manual for~~
13 ~~Idaho local governmental entities,~~ together with the amounts expended under
14 these classifications during each of the two (2) previous fiscal years by
15 each office, department, service, agency or institution; ~~and.~~ The notice
16 shall also provide that the board of county commissioners will meet on or
17 before the Tuesday following the first Monday in September, next succeeding,
18 for the purpose of considering and fixing a final budget and making appro-
19 priations to each office, department, service, agency or institution of the
20 county for the ensuing fiscal year at which time any taxpayer may appear and
21 be heard upon any part or parts of said tentative budget and fixing the time
22 and place of such meeting. Said notice shall be published in a newspaper as
23 prescribed in section 31-819, Idaho Code.

24 SECTION 8. That Section 31-1606, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 31-1606. EXPENDITURE LIMITED BY APPROPRIATIONS -- ROAD AND BRIDGE AP-
27 PROPRIATIONS -- INCREASE OF SALARIES. The estimates of expenditures as clas-
28 sified in each of the three (3) general classes, "~~Salaries,~~" "~~Benefits~~" and
29 "~~Detail of Other Expenses,~~" required in section 31-1602, Idaho Code the uni-
30 form accounting manual for local governmental entities, as finally fixed and
31 adopted as the county budget by said board of county commissioners, shall
32 constitute the appropriations for the county for the ensuing fiscal year.
33 Each and every county official or employee shall be limited in making expen-
34 ditures or the incurring of liabilities to the respective amounts of such
35 appropriations. Provided, in the case of road and bridge appropriations,
36 other than "~~Ssalaries~~" and "~~Bbenefits,~~" any lawful transfer deemed neces-
37 sary may be made by resolution formally adopted by the board of county com-
38 missioners at a regular or special meeting thereof, which action must be en-
39 tered upon the minutes of said board; provided, further, that no salary may
40 be increased during the ensuing year after the final budget is adopted, ~~with-~~
41 ~~out~~ resolution of the board of county commissioners, which resolution shall
42 be entered upon their minutes.

43 SECTION 9. That Section 31-2101, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 31-2101. DUTIES OF COUNTY TREASURER. The county treasurer must:

- 1 ~~(1-)~~ Receive all moneys belonging to the county, and all other moneys by
- 2 law directed to be paid to him, safely keep the same, and apply and pay them
- 3 out, rendering account thereof as required by law;
- 4 ~~(2-)~~ File and keep the certificates of the auditor delivered to him when
- 5 moneys are paid into the treasury;
- 6 ~~(3-)~~ Keep an account of the receipt and expenditure of all such moneys,
- 7 in books provided for the purpose, in which must be entered the amount, the
- 8 time when, from whom, and on what account all moneys were received by him, and
- 9 the amount, time when, to whom, and on what account all disbursements were
- 10 made by him;
- 11 ~~(4-)~~ ~~So k~~Keep his books that the amounts received and paid out on ac-
- 12 count of separate funds or specific appropriations are exhibited in sepa-
- 13 rate and distinct accounts, and the whole receipts and expenditures shown in
- 14 one general or cash account. according to the provisions of the uniform ac-
- 15 counting manual for local governmental entities as authorized under section
- 16 67-1075, Idaho Code;
- 17 ~~(5-)~~ Enter no moneys received for the current year on his account with
- 18 the county for the past fiscal year, until after his annual settlement for
- 19 the past year has been made with the county auditor; and
- 20 ~~(6-)~~ Disburse the county moneys only on county warrants issued by the
- 21 county auditor, based on orders of the board of commissioners or as otherwise
- 22 provided by law.

23 SECTION 10. That Section 31-3620, Idaho Code, be, and the same is hereby
24 amended to read as follows:

25 31-3620. ACCOUNTS AND REPORTS OF PERSON IN CHARGE. The person in
26 charge of the county hospital shall keep a correct account of all receipts
27 and expenditures in connection therewith, and make full and complete reports
28 thereof quarterly to the board of county commissioners. All records shall be
29 kept according to the provisions of the uniform accounting manual for local
30 governmental entities authorized under section 67-1075, Idaho Code.

31 SECTION 11. That Section 33-357, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 33-357. CREATION OF INTERNET-BASED EXPENDITURE WEBSITE. (1) As used
34 in this section, unless otherwise required:

- 35 (a) "Education provider" means:
 - 36 (i) A school district, including a specially chartered district
 - 37 organized and existing pursuant to law;
 - 38 (ii) A cooperative services agency or intermediate school dis-
 - 39 trict;
 - 40 (iii) A public charter school authorized pursuant to state law; or
 - 41 (iv) A publicly funded governmental entity established by the
 - 42 state for the express purpose of providing online courses.
- 43 (b) "Entity" means a corporation, association, union, limited liabil-
- 44 ity company, limited liability partnership, grantee, contractor, local
- 45 government, or other legal entity, including a nonprofit corporation or
- 46 an employee of the education provider.

- 1 (c) "Internet-based website" means a website developed and maintained
2 by the state controller pursuant to section 67-1075, Idaho Code.
- 3 (d) "ISEE" means the Idaho system for educational excellence or a suc-
4 cessor system.
- 5 (e) "Public record" shall have the same meaning as set forth in chapter
6 1, title 74, Idaho Code.
- 7 (2) (a) ~~No later than December 1, 2011, e~~Each education provider shall
8 develop and maintain a publicly available website where, as part of its
9 ISEE data submissions, submit record of the education provider's ex-
10 penditures are posted in a nonsearchable PDF format, a searchable PDF
11 format, a spreadsheet or in a database format and revenues accompanying
12 general ledger codes consistent with the Idaho financial accounting
13 reporting management system or a successor system to the state board of
14 education on a schedule determined by the board. Within ten (10) busi-
15 ness days of receiving such submission, the state board of education
16 shall transmit the submission to the state controller for posting on its
17 internet-based website.
- 18 (b) The internet-based website shall include the following data con-
19 cerning all expenditures made by the education provider:
- 20 (i) The name and location or address of the entity receiving mon-
21 eys;
- 22 (ii) The amount of expended moneys;
- 23 (iii) The date of the expenditure; and
- 24 (iv) A description of the purpose of the expenditure, ~~unless the~~
25 ~~expenditure is self-describing;~~
- 26 ~~(v) Supporting contracts and performance reports upon which the~~
27 ~~expenditure is related when these documents already exist;~~
- 28 ~~(vi) To the extent possible, a unique identifier for each expendi-~~
29 ~~ture;~~
- 30 ~~(vii) The annual budget approved by the education provider's gov-~~
31 ~~erning board, to be posted within thirty (30) days after its ap-~~
32 ~~proval; and~~
- 33 ~~(viii) Any current master labor agreements approved by the educa-~~
34 ~~tion provider's governing board.~~
- 35 (c) The expenditure data shall be provided in an open structured data
36 format that may be downloaded by the user.
- 37 (d) The internet-based website shall contain only information that is a
38 public record or that is not confidential or otherwise exempt from pub-
39 lic disclosure pursuant to state or federal law.
- 40 (3) (a) The education provider state controller shall:
- 41 (a) Update the expenditures contained on the internet-based web-
42 site at least monthly upon receiving a new transmission from the
43 state board of education; and
- 44 (b) Archive all expenditures, which shall remain accessible and
45 on the internet-based website for a number of years, consistent
46 with state law regarding keeping and retention of records.
- 47 (eb) The education provider shall:
- 48 (i) Make Link to the internet-based website easily accessible
49 from the main page of the education provider's website; and
- 50 (d) Post the following on the education provider's website:

- 1 1. Supporting contracts and performance reports upon which
- 2 the expenditure is related when these documents already ex-
- 3 ist;
- 4 2. The annual budget approved by the education provider's
- 5 governing board, to be posted within thirty (30) days after
- 6 its approval; and
- 7 3. Any current master labor agreements approved by the edu-
- 8 cation provider's governing board.

9 (c) The internet-based website shall include those records beginning
10 on the effective date of this act on July 1, 2011 referenced in this sec-
11 tion according to the schedule set forth pursuant to section 67-1075,
12 Idaho Code, and all data prior to that date shall be available by way of a
13 public records request.

14 SECTION 12. That Section 39-414A, Idaho Code, be, and the same is hereby
15 amended to read as follows:

16 39-414A. AUDIT OF HEALTH DISTRICT FINANCES. It shall be the duty of
17 each district board of health to cause to be made a full and complete audit
18 of all the financial transactions of the health district no less frequently
19 than every two (2) years. Such audit shall be made by ~~or under the direction~~
20 ~~of the legislative council~~ services office, pursuant to section 67-702,
21 Idaho Code, in accordance with generally accepted auditing standards and
22 procedures. The district board of health shall include all necessary ex-
23 penditures for such audit in its budget.

24 SECTION 13. That Section 50-208, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 50-208. DUTIES OF TREASURER -- RECORD OF OUTSTANDING BONDS. (1) The
27 treasurer of each city shall be the custodian of all moneys belonging to the
28 city. He shall account for each fund or appropriation made in its annual bud-
29 get appropriation or otherwise directed by the city council. Such account-
30 ing shall track the debits and credits relating thereto. The treasurer shall
31 on a monthly basis, and no more than sixty (60) days after the conclusion
32 of each month at a regular meeting of the city council, render an account-
33 ing to the city council showing the financial condition of the treasury at
34 the date of such accounting. The report shall state the balances of accounts
35 maintained in the city's treasury. The treasurer shall also make available
36 credit and debit details of all such accounts when required by the mayor or
37 by action of the governing board. Making the quarterly treasurer's report
38 available for public review on the city's website within thirty (30) days of
39 the conclusion of each quarter shall satisfy publication requirements es-
40 tablished by section 50-1011, Idaho Code.

41 (2) The treasurer shall also keep a record of all outstanding bonds
42 against the city showing the number, amount of each, and to whom said bonds
43 were issued, and when any bonds are purchased, paid or canceled. In his an-
44 nual report, the treasurer shall describe particularly the bonds issued and
45 sold during the year and the fiscal terms of the sale including the expenses
46 related thereto.

1 (3) The treasurer shall comply with the accounting and fiscal reporting
2 requirements set forth in the uniform accounting manual for local governmen-
3 tal entities authorized under section 67-1075, Idaho Code.

4 SECTION 14. That Section 50-1002, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 50-1002. ANNUAL BUDGET. The city council of each city shall, prior to
7 passing the annual appropriation ordinance, prepare a budget, ~~estimating~~
8 the probable amount of money necessary for all purposes for which an appro-
9 priation is to be made, including interest and principal due on the bonded
10 debt and sinking fund, itemizing and classifying the proposed expenditures
11 by department, fund, or service, ~~as nearly as may be practicable according~~
12 to the classifications set forth in the uniform accounting manual for Idaho
13 local governmental entities authorized under section 67-1075, Idaho Code,
14 and specifying any fund balances accumulated under section 50-1005A, Idaho
15 Code. To support such proposed expenditure, the council shall prepare an
16 estimate of the total revenue anticipated during the ensuing fiscal year
17 for which a budget is being prepared classifying such receipts ~~by source as~~
18 ~~nearly as may be possible and practicable~~ according to the classifications
19 set forth in the uniform accounting manual for Idaho local governmental en-
20 tities, said estimate to include any surplus not subject to the provisions of
21 sections 50-1004 and 50-1005A, Idaho Code, nor shall said estimated revenue
22 include funds accumulated under section 50-236, Idaho Code. The proposed
23 budget for the ensuing fiscal year shall list expenditures and revenues
24 during each of the two (2) previous fiscal years by fund and/or department.
25 Following tentative approval of the revenues and expenditures estimated by
26 the council, the same shall be entered at length in the journal of proceed-
27 ings. Prior to certifying to the county commissioners, a notice of time
28 and place of public hearing on the budget, which notice shall include the
29 proposed expenditures and revenues by fund and/or department, including the
30 two (2) previous fiscal years, and a statement of the estimated revenue from
31 property taxes and the total amount from sources other than property taxes of
32 the city for the ensuing fiscal year, shall be published twice at least seven
33 (7) days apart in the official newspaper. At said hearing, any interested
34 person may appear and show cause, if any ~~he has~~, why such proposed budget
35 should or should not be adopted.

36 SECTION 15. That Section 50-2006, Idaho Code, be, and the same is hereby
37 amended to read as follows:

38 50-2006. URBAN RENEWAL AGENCY. ~~(a)~~ (a) There is hereby created in each
39 municipality an independent public body corporate and politic to be known
40 as the "urban renewal agency" that was created by resolution as provided
41 in section 50-2005, Idaho Code, before July 1, 2011, for the municipality;
42 provided, that such agency shall not transact any business or exercise its
43 powers hereunder until or unless: ~~(1) the local governing body has made the~~
44 ~~findings prescribed in section 50-2005, Idaho Code; and provided further,~~
45 ~~that such.~~

1 (b) An urban renewal agency created after July 1, 2011, shall not trans-
2 act any business or exercise its powers provided for in this chapter
3 until ~~(2)~~ a majority of qualified electors, voting in a citywide or
4 countywide election depending on the municipality in which such agency
5 is created, vote to authorize such agency to transact business and exer-
6 cise its powers provided for in this chapter. If prior to July 1, 2011,
7 the local governing body has made the findings prescribed in ~~subsection~~
8 paragraph (a)~~(1)~~ of this subsection then such agency shall transact
9 business and shall exercise its powers hereunder and is not subject to
10 the requirements of ~~subsection (a) (2) of this section~~ this paragraph.

11 (b2) Upon satisfaction of the requirements under subsection ~~(a1)~~ of
12 this section, the urban renewal agency is authorized to transact the busi-
13 ness and exercise the powers hereunder by a board of commissioners to be
14 established as follows:

15 (1a) Unless provided otherwise in this section, the mayor, by and with
16 the advice and consent of the local governing body, shall appoint a
17 board of commissioners of the urban renewal agency, which shall consist
18 of not less than three (3) commissioners nor more than nine (9) commis-
19 sioners. In the order of appointment, the mayor shall designate the
20 number of commissioners to be appointed, and the term of each, provided
21 that the original term of office of no more than two (2) commissioners
22 shall expire in the same year. The commissioners shall serve for terms
23 not to exceed five (5) years, from the date of appointment, except that
24 all vacancies shall be filled for the unexpired term.

25 (2b) For inefficiency or neglect of duty or misconduct in office, a com-
26 missioner may be removed by a majority vote of the local governing body
27 only after a hearing and after he shall have been given a copy of the
28 charges at least ten (10) days prior to such hearing and have had an op-
29 portunity to be heard in person or by counsel. Any commission position
30 that becomes vacant at a time other than the expiration of a term shall
31 be filled by the mayor or chair of the board of county commissioners, if
32 that is the local governing body, by and with the advice and consent of
33 the local governing body, including the mayor, if applicable, and shall
34 be filled for the unexpired term.

35 (3c) By enactment of an ordinance, the local governing body may appoint
36 and designate from among its members to be members of the board of com-
37 missioners of the urban renewal agency, provided that such representa-
38 tion shall be less than a majority of the board of commissioners of the
39 urban renewal agency of the members of the local governing body on and
40 after July 1, 2017, in which case all the rights, powers, duties, priv-
41 ileges and immunities vested by the urban renewal law of 1965, and as
42 amended, in an appointed board of commissioners, shall be vested in the
43 local governing body, who shall, in all respects when acting as an urban
44 renewal agency, be acting as an arm of state government, entirely sepa-
45 rate and distinct from the municipality, to achieve, perform and accom-
46 plish the public purposes prescribed and provided by said urban renewal
47 law of 1965, and as amended.

48 (4d) By enactment of an ordinance, the local governing body may termi-
49 nate the appointed board of commissioners and thereby appoint and des-

1 ignite itself as the board of commissioners of the urban renewal agency
2 for not more than one (1) calendar year.

3 (5e) By enactment of an ordinance, the local governing body may provide
4 that the board of commissioners of the urban renewal agency shall be
5 elected at an election held for such purpose on one (1) of the November
6 dates provided in section 34-106, Idaho Code, and the ordinance may pro-
7 vide term limits for the commissioners. In this case, all the rights,
8 powers, duties, privileges and immunities vested by the urban renewal
9 law of 1965, and as amended, in an appointed board of commissioners,
10 shall be vested in the elected board of commissioners of the urban re-
11 newal agency, who shall, in all respects when acting as an urban renewal
12 agency, be acting as an arm of state government, entirely separate and
13 distinct from the municipality, to achieve, perform and accomplish the
14 public purposes prescribed and provided by said urban renewal law of
15 1965, and as amended. The provisions of chapter 66, title 67, Idaho
16 Code, shall apply to elected commissioners and the county election law
17 shall apply to the person running for commissioner as if they were run-
18 ning for county commissioner. In the event of a vacancy in an elected
19 commissioner position, the replacement shall be appointed by the mayor
20 or chair of the board of county commissioners, if that is the local gov-
21 erning body by and with the advice and consent of the local governing
22 body, and shall be filled for the unexpired term.

23 (63) In all instances, a member of the board of commissioners of the ur-
24 ban renewal agency must be a resident of the county where the urban renewal
25 agency is located or is doing business.

26 (e4) A commissioner shall receive no compensation for his services but
27 shall be entitled to the necessary expenses, including traveling expenses,
28 incurred in the discharge of his duties. Each commissioner shall hold office
29 until his successor has been appointed and has qualified. A certificate of
30 the appointment or reappointment of any commissioner shall be filed with the
31 clerk of the municipality and such certificate shall be conclusive evidence
32 of the due and proper appointment of such commissioner.

33 (5) (a) The powers of an urban renewal agency shall be exercised by the
34 commissioners thereof. A majority of the commissioners shall consti-
35 tute a quorum for the purpose of conducting business and exercising the
36 powers of the agency and for all other purposes. Action may be taken by
37 the agency upon a vote of a majority of the commissioners present, un-
38 less in any case the bylaws shall require a larger number.

39 (b) The commissioners shall elect the chairman, cochairman or vice
40 chairman for a term of one (1) year from among their members. An agency
41 may employ an executive director, technical experts and such other
42 agents and employees, permanent and temporary, as it may require, and
43 determine their qualifications, duties and compensation. For such le-
44 gal service as it may require, an agency may employ or retain its own
45 counsel and legal staff.

46 (c) An agency authorized to transact business and exercise powers un-
47 der this chapter shall file, with the local governing body, on or be-
48 fore March 31 of each year a report of its activities for the preced-
49 ing calendar year, which report shall include ~~a complete~~ the financial
50 statement setting forth its assets, liabilities, income and operating

1 ~~expense as of the end of such calendar year~~ data and audit reports re-
2 quired under sections 67-1075 and 67-1076, Idaho Code. The agency shall
3 be required to hold a public meeting to report these findings and take
4 comments from the public. At the time of filing the report, the agency
5 shall publish in a newspaper of general circulation in the community a
6 notice to the effect that such report has been filed with the municipi-
7 pality and the state controller and that the report is available for in-
8 spection during business hours in the office of the city clerk or county
9 recorder and in the office of the agency, and at all times on the web site
10 of the state controller.

11 (d) An urban renewal agency shall have the same fiscal year as a mu-
12 nicipality and shall be subject to the same audit requirements as a mu-
13 nicipality. An urban renewal agency shall be required to prepare and
14 file with its local governing body an annual financial report and shall
15 prepare, approve and adopt an annual budget for filing with the local
16 governing body, for informational purposes. A budget means an annual
17 estimate of revenues and expenses for the following fiscal year of the
18 agency.

19 (e6) An urban renewal agency shall comply with the public records law
20 pursuant to chapter 1, title 74, Idaho Code, open meetings law pursuant to
21 chapter 2, title 74, Idaho Code, the ethics in government law pursuant to
22 chapter 4, title 74, Idaho Code, and the competitive bidding provisions of
23 chapter 28, title 67, Idaho Code.

24 SECTION 16. That Section 67-450C, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 67-450C. INDEPENDENT FINANCIAL AUDITS OF AFFILIATED ORGANIZATIONS
27 TO STATE GOVERNMENTAL AGENCIES OR ENTITIES -- FILING REQUIREMENTS. (1) The
28 requirements set forth in ~~this section~~ 67-450B(2), Idaho Code, are minimum
29 audit requirements for all affiliated organizations to state governmental
30 entities, and include, without limitation, all state departments, commis-
31 sions, institutions, colleges or universities, which are created pursuant
32 to statute or the constitution and which receive an appropriation from the
33 legislature.

34 (2) As used in this section, "affiliated organization" means an organ-
35 ization affiliated with an agency or entity of state government ~~which~~ that
36 meets all of the following criteria:

37 (a) The organization has separate legal standing, where neither direct
38 association through appointment of a voting majority of the organiza-
39 tion's body nor fiscal dependency exists;
40

41 (b) The affiliation with a specific primary state government agency or
42 entity is set forth in the organization's articles of incorporation by
43 reference to the name of the primary state government agency or entity
44 in describing the purposes for which the organization was established;
45 and

46 (c) The affiliation with a specific primary state government agency or
47 entity is set forth in the organization's application to the internal
48 revenue service for exemption for payment of federal income tax pur-
suant to the ~~Internal Revenue Code~~ by reference to the name of the

1 primary government in response to any of the questions contained in the
2 exemption application, and the organization has been granted that ex-
3 emption.

4 (3) Audits under these requirements are to be performed by independent
5 auditors in accordance with generally accepted governmental auditing stan-
6 dards, as defined by the United States general accounting office. The audi-
7 tor shall be employed on written contract.

8 (4) The affiliated organization's governing body shall be required to
9 include in its annual budget all necessary expenses for carrying out the pro-
10 visions of this section.

11 (5) The affiliated organization shall file one (1) copy of each com-
12 pleted audit report with the legislative services office within nine (9)
13 months after the end of the audit period.

14 ~~(2) The minimum requirements for any audit performed under the provi-~~
15 ~~sions of this section are:~~

16 ~~(a) The governing body of an affiliated organization whose annual ex-~~
17 ~~penditures (from all sources) exceeds two hundred fifty thousand dol-~~
18 ~~lars (\$250,000) shall cause a full and complete audit of its financial~~
19 ~~statements to be made each fiscal year.~~

20 ~~(b) The governing body of an affiliated organization whose annual~~
21 ~~expenditures (from all sources) exceed one hundred thousand dollars~~
22 ~~(\$100,000), but do not exceed two hundred fifty thousand dollars~~
23 ~~(\$250,000) may elect to have its financial statements audited on a bi-~~
24 ~~ennial basis and may continue biennial auditing cycles in subsequent~~
25 ~~years as long as the organization's annual expenditures do not exceed~~
26 ~~two hundred fifty thousand dollars (\$250,000) during either year of any~~
27 ~~biennial period. Biennial audits shall include an audit of each fiscal~~
28 ~~year since the previous audit.~~

29 ~~(c) The governing body of an affiliated organization whose annual ex-~~
30 ~~penditures (from all sources) do not exceed one hundred thousand dol-~~
31 ~~lars (\$100,000) has no minimum audit requirements under this section.~~

32 (d) Federal audit requirements applicable because of expenditure
33 of federal assistance supersede the minimum audit requirements provided
34 referenced in subsection (1) of this section.

35 SECTION 17. That Section 67-450D, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 67-450D. INDEPENDENT FINANCIAL AUDITS -- DESIGNATED ENTI-
38 TIES. (1) Notwithstanding any other provisions of the Idaho Code relating
39 to audit requirements regarding the entities ~~hereinafter~~ designated in
40 this section, beginning on July 1, 201021, the requirements set forth in
41 ~~this section~~ 67-450B(2), Idaho Code, shall constitute the minimum audit
42 requirements for the following entities:

- 43 (a) Alfalfa and clover seed commission;
- 44 (b) Idaho apple commission;
- 45 (c) Idaho barley commission;
- 46 (d) Idaho bean commission;
- 47 (e) Idaho beef council;
- 48 (f) Idaho cherry commission;

- 1 (g) Idaho dairy products commission;
- 2 (h) Idaho food quality assurance institute;
- 3 (i) Idaho forest products commission;
- 4 (j) Idaho grape growers and wine producers commission;
- 5 (k) Idaho honey commission;
- 6 (l) Idaho hop grower's commission;
- 7 (m) Idaho mint commission;
- 8 (n) Idaho oilseed commission;
- 9 (o) Idaho pea and lentil commission;
- 10 (p) Idaho potato commission;
- 11 (q) Idaho rangeland resource commission; and
- 12 (r) Idaho wheat commission.

13 (2) ~~The minimum requirements for any audit performed under the provisions of this section are:~~

14 ~~(a) Any entity whose annual expenditures (from all sources) exceed two hundred fifty thousand dollars (\$250,000) shall cause a full and complete audit of its financial statements to be made each fiscal year.~~

15 ~~(b) Any entity whose annual expenditures (from all sources) exceed one hundred thousand dollars (\$100,000), but do not exceed two hundred fifty thousand dollars (\$250,000), in the current year shall have an annual audit or may elect to have its financial statements audited on a biennial basis. The first year that expenditures exceed one hundred thousand dollars (\$100,000) is the first year of the biennial audit period. The designated entity may continue the biennial audit cycle in subsequent years as long as the entity's annual expenditures during the first year of the biennial audit period do not exceed two hundred fifty thousand dollars (\$250,000). In the event that annual expenditures exceed two hundred fifty thousand dollars (\$250,000) in the current year following a year in which a biennial audit was completed, the designated entity shall complete an annual audit. In the event that annual expenditures in the current year do not exceed one hundred thousand dollars (\$100,000) following a year in which an annual or biennial audit was completed, the designated entity has no minimum audit requirement.~~

16 ~~(c) Any entity whose annual expenditures (from all sources) do not exceed one hundred thousand dollars (\$100,000) has no minimum audit requirements under the provisions of this section.~~

17 ~~(d) Federal audit requirements applicable because of expenditure of federal assistance supersede the minimum audit requirements provided in referenced in subsection (1) of this section.~~

18 (3) All moneys received or expended by the entities identified in subsection (1) of this section shall be audited ~~as specified in subsection (2) of this section~~ by a certified public accountant designated by the entity, who shall furnish a copy of such audit to the ~~director of the legislative services office~~ state controller pursuant to section 67-1076, Idaho Code, and to the senate agricultural affairs committee and the house of representatives agricultural affairs committee. The audit shall be completed within ninety (90) days following the close of the commission's fiscal year.

19 (4) Any entity identified in subsection (1) of this section that is not audited pursuant to the provisions of this section shall submit an unaudited annual statement of revenues, expenditures, and fund balances ~~to the direc-~~

1 ~~tor of the legislative services office,~~ to the senate agricultural affairs
2 committee and the house of representatives agricultural affairs committee,
3 to the state controller and to the division of financial management.

4 (5) The right is reserved to the state of Idaho to audit the funds of the
5 entities identified in this section at any time.

6 SECTION 18. That Section 67-702, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 67-702. AUDIT FUNCTION OF LEGISLATIVE SERVICES OFFICE. (1) The leg-
9 islative services office at the direction of the legislative council has au-
10 thority to:

11 (a) Perform an annual audit of the statewide annual financial report
12 prepared by the state controller in accordance with generally accepted
13 government auditing standards.

14 (b) Perform an annual audit of federal financial assistance provided
15 to the state that meets the requirements established by the federal gov-
16 ernment.

17 (c) Perform a management review of each executive department of state
18 government at least once in a three (3) year period. Management reviews
19 shall cover the period since the last review and may include evaluation
20 of internal controls over financial and program activities and other
21 matters related to the department's operations.

22 (d) Provide audit services to any unit of state government or public
23 institution that requests services, if authorized by the legislative
24 council.

25 (e) Report to the attorney general all facts which may indicate malfea-
26 sance, illegal expenditure of public funds or misappropriation of pub-
27 lic funds or public property for such investigation or action, civil or
28 criminal, as the attorney general may deem necessary. The governor and
29 state controller shall also be notified when the report is made to the
30 attorney general pursuant to this subsection. The legislature shall be
31 informed through the regular audit process pursuant to section 67-429,
32 Idaho Code.

33 ~~(f) Be the official repository of all audit reports of the state and~~
34 ~~political subdivisions that are required to be audited pursuant to~~
35 ~~sections 67-450B and 67-450C, Idaho Code~~ Perform an audit of any local
36 governmental entity, as defined in section 67-1076, Idaho Code, at the
37 request of the legislative council or the oversight committee on uni-
38 form accounting for local governmental entities established in section
39 67-448, Idaho Code.

40 (g) Report to the legislature annually no later than February 1 of each
41 year on all land exchanged by the state board of land commissioners pur-
42 suant to section 58-138, Idaho Code, during the preceding year, and all
43 appraisals and review appraisals conducted on such state endowment land
44 exchanges pursuant to the provisions of section 58-138, Idaho Code.

45 (2) The legislative council reserves the right to audit or examine any
46 and every fund in the state treasury and any institution, association, board
47 or other defined entity created by, or that receives an appropriation from,
48 the legislature.

1 SECTION 19. That Section 67-1001, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 67-1001. DUTIES OF CONTROLLER. It is the duty of the state controller:

4 (1) To superintend the fiscal concerns of the state, with its account-
5 ing, informational, payroll, and related data processing services.

6 (2) To deliver to the governor and the legislative services office on or
7 before the first day of January, a financial statement, which complies with
8 generally accepted accounting principles, of the funds of the state, its
9 revenues, and of the public expenditures during the preceding fiscal year.

10 (3) When requested, to give information in writing to either house of
11 the legislature relating to the fiscal affairs of the state or the duties of
12 his office.

13 (4) To suggest plans and provide internal control standards for the im-
14 provement and management of the public revenues, assets, expenditures and
15 liabilities.

16 (5) To keep and state all accounts in which the state is interested.

17 (6) To keep an account of all warrants drawn upon the treasurer, and a
18 separate account under the head of each specified appropriation, showing at
19 all times the unexpended balance of such appropriation.

20 (7) To keep an account between the state and the treasurer, and therein
21 charge the treasurer with the balance in the treasury when he came into of-
22 fice, and with all moneys received by him, and credit him with all warrants
23 drawn on and paid by him.

24 (8) To keep a register of warrants, showing the fund or funds upon which
25 they are drawn, the number, in whose favor, the appropriation applicable to
26 the payment thereof, and when the liability accrued.

27 (9) To examine and settle the accounts of all persons indebted to the
28 state.

29 (10) In his discretion to require any person presenting an account for
30 settlement to be sworn before him, and to answer, orally or in writing, as to
31 any facts relating to it.

32 (11) To require all persons who have received any moneys belonging to
33 the state and have not accounted therefor to settle their accounts.

34 (12) To account for the collection of all moneys due the state, not the
35 responsibility of any other agency and institute suits in its name for all
36 official delinquencies in relation to assessment, collection and payment of
37 the revenue, and against persons who by any means have become possessed of
38 public money or property and fail to pay over or deliver the same, and against
39 all debtors of the state, of which suits the courts of Ada County have juris-
40 diction, without regard to the residence of the defendants.

41 (13) To draw warrants on the treasurer for the payment of moneys di-
42 rected by law to be paid out of the treasury; but no warrant must be drawn
43 unless authorized by law.

44 (14) To furnish the state treasurer with a daily total dollar amount,
45 by fund, and/or account when requested by the state treasurer, of warrants
46 drawn upon the treasury.

47 (15) To authenticate with his signature, his electronic signature, or
48 his facsimile signature all warrants drawn by him, and all copies of official
49 documents issued from his office.

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1 (16) To charge the state treasurer with money and evidences of indebted-
2 ness received from and credit him for money drawn by the state board of land
3 commissioners in the moneys or accounts over which said board has control.

4 (17) To act ex officio as member of the board of canvassers and state
5 board of land commissioners, secretary of the state board of examiners, and
6 participant in other organizations in the performance of such duties as pre-
7 scribed by law for such officer.

8 (18) To create and establish such divisions and other administrative
9 units within the office as necessary.

10 (19) To be the official repository of all audit reports of the state and
11 political subdivisions that are required to be audited pursuant to sections
12 67-450B, 67-450C, and 67-450D, Idaho Code.

13 SECTION 20. This act shall be in full force and effect on and after Jan-
14 uary 1, 2022.