

1 S.9

2 Introduced by Senators Bray and Hardy

3 Referred to Committee on

4 Date:

5 Subject: State Auditor; State contracting; audits; financial statements

6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 authority of the State Auditor to examine the books and records of any
8 contractor providing services to the State.

9 An act relating to the authority of the State Auditor to examine the books
10 and records of State contractors

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 32 V.S.A. § 163 is amended to read:

13 § 163. DUTIES OF THE AUDITOR OF ACCOUNTS

14 In addition to any other duties prescribed by law, the Auditor of Accounts
15 shall:

16 (1) Annually perform or contract for:

17 (A) an audit of the basic financial statements of the State of Vermont;

18 (B) the financial and compliance audits of the State of Vermont's

19 federal programs as required by federal law, except that this audit requirement

1 shall not apply to the University of Vermont or the Vermont State Colleges;
2 and

3 (C) at ~~his or her~~ the Auditor of Accounts' discretion, governmental
4 audits as defined by governmental auditing standards issued by the U.S.
5 Government Accountability Office (GAO) of every department, institution,
6 and agency of the State, including contractors as it relates to performance
7 under State contracts, trustees or custodians of retirement and other trust funds
8 held by the State or any officer or officers of the State, and ~~also including~~
9 every county officer who receives or disburses funds of the State or for the
10 benefit of the State or any county.

11 * * *

12 (13) Have discretion to examine the records, accounts, books, papers,
13 reports, and returns in all formats of any contractor that provides services to
14 the State, provided that the examination of records, accounts, books, papers,
15 reports, and returns shall be limited to those that are relevant to the contract
16 with the State.

17 Sec. 2. 32 V.S.A. § 167 is amended to read:

18 § 167. RECORDS TO BE AVAILABLE FOR AUDIT

19 (a) For the purpose of examination and audit authorized by law, and except
20 as provided in subdivision 163(13) of this title, all the records, accounts,
21 books, papers, reports, and returns in all formats of all departments,

1 institutions, and agencies of the State, including the trustees or custodians of
2 trust funds and all municipal, school supervisory union, school district, and
3 county officers who receive or disburse funds for the benefit of the State, shall
4 be made available to the Auditor of Accounts. It shall be the duty of each
5 officer of each department, institution, and agency of the State or municipality,
6 school supervisory union, school district, or county to provide the records,
7 accounts, books, papers, reports, returns, and such other explanatory
8 information when required by the Auditor of Accounts.

9 * * *

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on July 1, 2023.