

1 H.418

2 Introduced by Representatives Eastman of Orwell, Buxton of Tunbridge, and
3 Smith of New Haven

4 Referred to Committee on

5 Date:

6 Subject: Municipal government; town clerk/treasurer; audit

7 Statement of purpose of bill as introduced: This bill proposes to require a town
8 to conduct an additional audit when the positions of town clerk and treasurer
9 are held by the same individual.

10 An act relating to requiring a town to conduct an additional audit when its
11 town clerk and treasurer are the same individual

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

13 Sec. 1. 24 V.S.A. § 1681 is amended to read:

14 § 1681. AUDITORS; DUTIES; MEETING

15 (a) Town auditors shall meet at least 25 days before each annual town
16 meeting to examine and adjust the accounts of all town officers and all other
17 persons authorized by law to draw orders on the town treasurer. Such auditing
18 shall include the account that the treasurer is required to keep with the
19 collector, the tax accounts of the collector, trust accounts where the town or
20 any town officer, as such officer, is trustee or where the town is sole

1 beneficiary, accounts relating to the town indebtedness, and accounts of any
2 special funds in the care of any town official. Notice of such meeting shall be
3 given by posting or publication ten days in advance of such meeting.

4 (b)(1) Except as provided in subsection (c) of this subsection, when the
5 positions of town clerk and treasurer are held by the same individual, the
6 Selectboard shall require either an independent or accountability audit
7 simultaneously with the audit required in subsection (a).

8 (2) If the Selectboard chooses to require an independent audit, the
9 Selectboard shall contract with a public accountant licensed in this State.

10 (c) The Selectboard shall not require an independent or accountability audit
11 under subsection (b) of this section when it has contracted with a licensed
12 public accountant pursuant to 17 V.S.A. § 2651b.

13 (d) "Accountability audit" as used in this section shall mean the
14 comparison of the check register of the town accounting program to a copy of
15 cashd checks from the town's bank to prove the checks were written to the
16 vendor reported on the accounting program.

17 Sec. 2. 24 V.S.A. § 1682 is amended to read:

18 § 1682. REPORT; DISTRIBUTION

19 * * *

20 ~~(b) If a town has voted to eliminate the office of auditor, the findings of the~~
21 ~~public accountant employed in accordance with section 2651b of Title 17 shall~~

1 ~~be mailed or otherwise distributed by the selectboard in the same manner that~~
2 ~~findings are required to be distributed by auditors.~~ If a town is required to
3 conduct an independent or accountability audit pursuant to subsection 1681(b)
4 of this chapter or if a town has voted to eliminate the office of auditor pursuant
5 to 17 V.S.A. § 2651b, the Selectboard shall mail or otherwise distribute the
6 findings of the independent audit, accountability audit, or public accountant in
7 the same manner as the findings that are required to be distributed by the town
8 auditors.

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on passage.