Fifty-seventh Legislature
First Regular Session

COMMITTEE ON GOVERNMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2368
(Reference to printed bill)

Amendment instruction key:
[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.
[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

The bill as proposed to be amended is reprinted as follows:

Section 1. Section 41-1279.04, Arizona Revised Statutes, is amended to read:

41-1279.04. Authority to examine records; violation; classification; attorney general supervision

A. The auditor general or the auditor general's authorized representatives, in the performance of official duties, shall have access to employees and the authority to examine any and all books, accounts, reports, vouchers, correspondence files and other records, bank accounts, criminal history record information as defined in section 41-1701 and in accordance with section 41-1750, monies and other property of any state agency, board, commission, department, institution, program, advisory council or committee or political subdivision of this state, whether created by the constitution or otherwise, or such documents and property of a contractor relating to a contract with this state pursuant to section 35-214. Any such agency or political subdivision~~, having~~ THAT HAS such records under the officer's or employee's control, shall allow access to and examination of the records on the request of the auditor general or the auditor general's authorized representative.

B. [UPON NOTIFICATION TO THE COUNTY TREASURER]THE AUDITOR GENERAL OR THE AUDITOR GENERAL'S AUTHORIZED REPRESENTATIVES, IN THE PERFORMANCE OF OFFICIAL DUTIES, SHALL HAVE ACCESS TO FINANCIAL INSTITUTIONS' OR FINANCIAL ENTERPRISES' INFORMATION, ACCOUNTS, BOOKS, RECORDS, STATEMENTS, REPORTS, COMMUNICATIONS, TRANSACTIONS OR ANY OTHER INFORMATION RELATING TO ANY STATE AGENCY, BOARD, COMMISSION, DEPARTMENT, INSTITUTION, PROGRAM, ADVISORY COUNCIL OR COMMITTEE OR POLITICAL SUBDIVISION OF THIS STATE, WHETHER CREATED BY THE CONSTITUTION OR OTHERWISE. ON REQUEST OF THE AUDITOR GENERAL OR THE AUDITOR GENERAL'S REPRESENTATIVES AND IN THE FORM AND AT THE TIME PRESCRIBED BY THE AUDITOR GENERAL, THE FINANCIAL INSTITUTION OR FINANCIAL ENTERPRISE SHALL PROVIDE ALL INFORMATION REQUESTED BY THE AUDITOR GENERAL OR THE AUDITOR GENERAL'S AUTHORIZED

REPRESENTATIVE. AN AUTHORIZED REPRESENTATIVE OF THE FINANCIAL INSTITUTION OR FINANCIAL ENTERPRISE SHALL CERTIFY ALL INFORMATION PROVIDED TO THE AUDITOR GENERAL OR AUDITOR GENERAL'S AUTHORIZED REPRESENTATIVES. COSTS OR FEES ASSOCIATED WITH PRODUCING THE INFORMATION REQUESTED BY THE AUDITOR GENERAL OR AUDITOR GENERAL'S AUTHORIZED REPRESENTATIVES SHALL BE PAID BY THE STATE AGENCY, BOARD, COMMISSION, DEPARTMENT, INSTITUTION, PROGRAM, ADVISORY COUNCIL OR COMMITTEE OR POLITICAL SUBDIVISION. A FINANCIAL INSTITUTION OR FINANCIAL ENTERPRISE IS NOT LIABLE TO THE STATE AGENCY, BOARD, COMMISSION, DEPARTMENT, INSTITUTION, PROGRAM, ADVISORY COUNCIL OR COMMITTEE OR POLITICAL SUBDIVISION FOR PROVIDING TO THE AUDITOR GENERAL OR AUDITOR GENERAL'S AUTHORIZED REPRESENTATIVES INFORMATION REQUESTED PURSUANT TO THIS SUBSECTION.

~~B.~~ C. For the purpose of complying with section 41-1279.03, subsection A, paragraphs 4 and 9, the auditor general or the auditor general's authorized representative, in the performance of official duties, may attend executive sessions of the governing body of any state agency or school district in this state.

~~C.~~ D. For the purpose of auditing the department of revenue, the auditor general and the auditor general's authorized representatives have access to state tax returns, except that a report of the auditor general shall not violate the confidentiality of state tax laws.

~~D.~~ E. For the purpose of complying with subsection A of this section, all officers of any state agency, board, commission, department, institution, program, advisory council or committee or political subdivision of this state shall provide reasonable space for auditor general staff and make records available, in the form and at the time prescribed.

~~E.~~ F. Any officer or person who knowingly fails or refuses to allow access and examination pursuant to this section or WHO knowingly obstructs or misleads the auditor general in the execution of the auditor general's duties is guilty of a class 2 misdemeanor.

~~F.~~ G. The attorney general shall supervise the prosecution of all offenders under this section.

Enroll and engross to conform

Amend title to conform

And, as so amended, it do pass

WALT BLACKMAN
CHAIRMAN

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