

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 495

02/02/2015 Authored by Anderson, S.; Howe; Kresha; O'Driscoll; Newberger and others
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
02/25/2015 Adoption of Report: Re-referred to the Committee on State Government Finance

1.1 A bill for an act
1.2 relating to local government; permitting counties to have audits performed by
1.3 certified public accountant firms; amending Minnesota Statutes 2014, section
1.4 6.48.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 6.48, is amended to read:

1.7 **6.48 EXAMINATION OF COUNTIES; COST, FEES.**

1.8 (a) All the powers and duties conferred and imposed upon the state auditor shall
1.9 be exercised and performed by the state auditor in respect to the offices, institutions,
1.10 public property, and improvements of several counties of the state. At least once in each
1.11 year, if funds and personnel permit, the state auditor may visit, without previous notice,
1.12 each county and make a thorough examination of all accounts and records relating to the
1.13 receipt and disbursement of the public funds and the custody of the public funds and
1.14 other property. If the audit is performed by a private certified public accountant, the state
1.15 auditor may require additional information from the private certified public accountant as
1.16 the state auditor deems in the public interest. The state auditor may accept the audit or
1.17 make additional examinations as the state auditor deems to be in the public interest. The
1.18 state auditor shall prescribe and install systems of accounts and financial reports that shall
1.19 be uniform, so far as practicable, for the same class of offices. A copy of the report of
1.20 such examination shall be filed and be subject to public inspection in the office of the state
1.21 auditor and another copy in the office of the auditor of the county thus examined. The state
1.22 auditor may accept the records and audit, or any part thereof, of the Department of Human
1.23 Services in lieu of examination of the county social welfare funds, if such audit has been
1.24 made within any period covered by the state auditor's audit of the other records of the

2.1 county. If any such examination shall disclose malfeasance, misfeasance, or nonfeasance
2.2 in any office of such county, such report shall be filed with the county attorney of the
2.3 county, and the county attorney shall institute such civil and criminal proceedings as the
2.4 law and the protection of the public interests shall require.

2.5 (b) The county receiving any examination shall pay to the state auditor enterprise
2.6 fund the total cost and expenses of such examinations, including the salaries paid to the
2.7 examiners while actually engaged in making such examination. The state auditor on
2.8 deeming it advisable may bill counties periodically for services rendered and the officials
2.9 responsible for approving and paying claims shall cause said bill to be promptly paid.
2.10 The state auditor enterprise fund shall be credited with all collections made for any such
2.11 examinations.

2.12 (c) Notwithstanding paragraph (a), a county may provide for an audit to be performed
2.13 by a certified public accountant firm meeting the requirements of section 326A.05.
2.14 A county must notify the state auditor before August 1 of the even-numbered year
2.15 immediately preceding the year in which the county intends to have an audit performed by
2.16 a certified public accounting firm. A county currently using a certified public accounting
2.17 firm must notify the state auditor before August 1 of the even-numbered year immediately
2.18 preceding the year in which the county intends for the state auditor to audit the county. The
2.19 audit performed under this paragraph must meet the standards and be in the form required
2.20 by the state auditor. The state auditor may require additional information from the certified
2.21 public accountant firm if the state auditor deems that it is in the public interest, but the
2.22 state auditor must accept the audit unless the state auditor determines that it does not meet
2.23 recognized industry auditing standards or is not in the form required by the state auditor.