

SF0009

Audit requirements for special fire and water districts.

Sponsored By: Senator(s) Bebout, Coe, Nethercott and Steinmetz and Representative(s) Flitner and Western

AN ACT relating to special districts; exempting fire protection districts and water and sewer districts from the audit requirements of the Uniform Municipal Fiscal Procedures Act; amending oversight of districts as specified; and providing for an effective date.

12/14/2018 Bill Number Assigned
1/8/2019 S Received for Introduction
1/11/2019 S Introduced and Referred to S07 - Corporations
1/15/2019 S07 - Corporations:Recommend Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Landen, Nethercott, Schuler, Scott
Nays: Senator Case
Ayes 4 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

1/15/2019 S Placed on General File
1/16/2019 S COW:Passed
1/17/2019 S 2nd Reading:Passed
1/18/2019 S 3rd Reading:Passed 27-3-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger
Nays: Senator(s) Bouchard, Case, Hutchings
Ayes 27 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

1/18/2019 H Received for Introduction
2/7/2019 H Introduced and Referred to H07 - Corporations
2/11/2019 H07 - Corporations:Recommend Do Pass 5-4-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Clausen, Clifford, Edwards, Furphy
Nays: Representative(s) Clem, Duncan, Eyre, Lindholm
Ayes 5 **Nays** 4 **Excused** 0 **Absent** 0 **Conflicts** 0

2/11/2019 H Placed on General File
2/12/2019 H COW:Passed

SF0009H2001/FAILED

Page 1-line 4 After "Act" insert "as specified".
Page 2-line 9 Delete "annual"; delete "is not".
Page 2-line 10 Delete "required." and insert "shall occur at least once every five (5) years.".
Page 3-line 23 Delete "annual".
Page 4-line 1 Delete "is not required" and insert "shall occur at least once every five (5) years.". SIMPSON

SF0009H2002/WITHDRAWN

2/13/2019 H 2nd Reading:Passed

SF0009H3001/WITHDRAWN

SF0009H3002/ADOPTED

Page 1-line 4 After "Act;" insert "amending oversight of districts as specified;".

Page 1-line 8 After "W.S." insert "9-1-507(a) by creating a new paragraph (ix),".

Page 1-afer line 9 Insert:

"9-1-507. Examination of books of state institutions, agencies and certain districts and entities; independent audit authorized; guidelines.

(a) The director of the state department of audit shall:

(ix) In lieu of the rules described in subparagraphs (A) through (D) of paragraph (iii) of this subsection, fire protection and water and sewer districts shall be required to comply with the rules to provide for different levels of oversight as follows:

(A) At least one million dollars (\$1,000,000.00)-an audit by a certified public accountant shall be required;

(B) At least three hundred thousand dollars (\$300,000.00) but less than one million dollars (\$1,000,000.00)-a certified public accountant review;

(C) At least one hundred thousand dollars (\$100,000.00) but less than three hundred thousand dollars (\$300,000.00)-requirements shall be greater than those in subparagraph (D) of this paragraph but less than those in subparagraph (B) of this paragraph. The rules shall provide for more stringent oversight requirements for districts with higher total revenues within this range than the requirements for districts with lower total revenues within this range;

(D) Less than one hundred thousand dollars (\$100,000.00) but more than twenty-five thousand dollars (\$25,000.00)-the only requirements shall be a proof of cash procedure conducted by an independent third party with a certification from two (2) authorized representatives of the district that the proof of cash procedure was performed by the independent third party in accordance with procedures required by the director and that to the best of their knowledge the financial information used was complete and accurate;

(E) Twenty-five thousand dollars (\$25,000.00) or less-the only requirement shall be the annual report of district revenues, expenses and ending cash balance." GRAY

2/14/2019 H 3rd Reading:Passed 52-4-4-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eyre, Flitner, Freeman, Furphy, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Clem, Eklund, Gray, Lindholm

Excused: Representative(s) Clifford, Greear, Northrup, Walters

Ayes 52 **Nays** 4 **Excused** 4 **Absent** 0 **Conflicts** 0

2/14/2019 S Received for Concurrence

2/14/2019 S Concur:Failed 3-27-0-0-0

ROLL CALL

Ayes: Senator(s) Biteman, Bouchard, Scott

Nays: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Boner, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Steinmetz, Von Flatern, Wasserburger

Ayes 3 **Nays** 27 **Excused** 0 **Absent** 0 **Conflicts** 0

2/15/2019 S Appointed JCC01 Members
 Senator(s) Bebout, Driskill, Moniz
2/20/2019 H Appointed JCC01 Members
 Representative(s) Flitner, Lindholm, Zwonitzer
2/25/2019 S Adopted SF0009JC001: 25-4-1-0-0

SF0009JC001/SADOPTED (TO ENGROSSED COPY)

Delete the following House amendments:

SF0009H3002/A

Further amend as follows:

Page 1-line 4 After "Act;" insert "amending oversight of districts as specified;".

Page 1-line 8 After "W.S." insert "9-1-507(a) by creating a new paragraph (ix),".

Page 1-afer line 9 Insert:

"9-1-507. Examination of books of state institutions, agencies and certain districts and entities; independent audit authorized; guidelines.

(a) The director of the state department of audit shall:

(ix) In lieu of the rules described in subparagraphs (A) through (D) of paragraph (iii) of this subsection, fire protection and water and sewer districts shall be required to comply with the rules to provide for different levels of oversight as follows:

(A) At least one million dollars (\$1,000,000.00)-an audit by a certified public accountant shall be required;

(B) At least one hundred thousand dollars (\$100,000.00) but less than one million dollars (\$1,000,000.00)-requirements shall be greater than those in subparagraph (C) of this paragraph but less than those in subparagraph (A) of this paragraph. The rules shall provide for more stringent oversight requirements for districts with higher total revenues within this range than the requirements for districts with lower total revenues within this range;

(C) Less than one hundred thousand dollars (\$100,000.00) but more than twenty-five thousand dollars (\$25,000.00)-the only requirements shall be a proof of cash procedure conducted by an independent third party with a certification from two (2) authorized representatives of the district that the proof of cash procedure was performed by the independent third party in accordance with procedures required by the director and that to the best of their knowledge the financial information used was complete and accurate;

(D) Twenty-five thousand dollars (\$25,000.00) or less-the only requirement shall be the annual report of district revenues, expenses and ending cash balance." BEBOUT, DRISKILL, MONIZ, FLITNER, LINDHOLM, ZWONITZER

ROLL CALL

Ayes: Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator(s) Bouchard, Case, Hutchings, James

Excused: Senator Agar
Ayes 25 **Nays** 4 **Excused** 1 **Absent** 0 **Conflicts** 0

2/26/2019 H Adopted SF0009JC001: 34-25-1-0-0

SF0009JC001/SADOPTEDHADOPTE (TO ENGROSSED COPY)

Delete the following House amendments:

SF0009H3002/A

Further amend as follows:

Page 1-line 4 After "Act;" insert "amending oversight of districts as specified;".

Page 1-line 8 After "W.S." insert "9-1-507(a) by creating a new paragraph (ix),".

Page 1-afer line 9 Insert:

"9-1-507. Examination of books of state institutions, agencies and certain districts and entities; independent audit authorized; guidelines.

(a) The director of the state department of audit shall:

(ix) In lieu of the rules described in subparagraphs (A) through (D) of paragraph (iii) of this subsection, fire protection and water and sewer districts shall be required to comply with the rules to provide for different levels of oversight as follows:

(A) At least one million dollars (\$1,000,000.00)-an audit by a certified public accountant shall be required;

(B) At least one hundred thousand dollars (\$100,000.00) but less than one million dollars (\$1,000,000.00)-requirements shall be greater than those in subparagraph (C) of this paragraph but less than those in subparagraph (A) of this paragraph. The rules shall provide for more stringent oversight requirements for districts with higher total revenues within this range than the requirements for districts with lower total revenues within this range;

(C) Less than one hundred thousand dollars (\$100,000.00) but more than twenty-five thousand dollars (\$25,000.00)-the only requirements shall be a proof of cash procedure conducted by an independent third party with a certification from two (2) authorized representatives of the district that the proof of cash procedure was performed by the independent third party in accordance with procedures required by the director and that to the best of their knowledge the financial information used was complete and accurate;

(D) Twenty-five thousand dollars (\$25,000.00) or less-the only requirement shall be the annual report of district revenues, expenses and ending cash balance." BEBOUT, DRISKILL, MONIZ, FLITNER, LINDHOLM, ZWONITZER

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eyre, Flitner, Hallinan, Hunt, Kinner, Kirkbride, Larsen, Lindholm, MacGuire, Miller, Newsome, Nicholas, Olsen, Pelkey, Salazar, Schwartz, Simpson, Stith, Western, Wilson, Yin

Nays: Representative(s) Clem, Eklund, Freeman, Furphy, Gray, Greear, Haley, Harshman, Henderson, Jennings, Laursen, Loucks, Obermueller, Paxton, Piiparinen, Pownall, Roscoe, Sommers, Styvar, Sweeney, Tass, Walters, Washut, Winter, Zwonitzer

Excused: Representative Northrup

Ayes 34 **Nays** 25 **Excused** 1 **Absent** 0 **Conflicts** 0

2/27/2019 Assigned Number SEA No. 0071

2/27/2019 S President Signed SEA No. 0071

2/27/2019 H Speaker Signed SEA No. 0071

3/8/2019 Governor Signed SEA No. 0071
3/8/2019 Assigned Chapter Number 184

Chapter No. 184 Session Laws of Wyoming 2019