

# SENATE BILL 615

P5

2lr1627

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By: **Senator Jennings**

Introduced and read first time: February 3, 2012

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Legislative Audits – Joint Audit Committee Recommendations**

3 FOR the purpose of requiring the Joint Audit Committee to recommend to the  
4 Governor and the Comptroller that specified units of government take specified  
5 corrective actions to correct certain findings in certain reports of a  
6 fiscal/compliance nature; repealing the authority of the Joint Audit Committee  
7 to grant a waiver from certain recommended actions made to certain units of  
8 government; making conforming changes; and generally relating to  
9 fiscal/compliance findings and recommendations of the Joint Audit Committee.

10 BY repealing and reenacting, with amendments,  
11 Article – State Government  
12 Section 2–1224(g)  
13 Annotated Code of Maryland  
14 (2009 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – State Government**

18 2–1224.

19 (g) (1) The Legislative Auditor shall review each unit's response and  
20 advise the unit of the results of the review. The Legislative Auditor shall advise the  
21 Joint Audit Committee when:

22 (i) a unit does not make a response to a recommendation;

23 (ii) a unit does not indicate action to be taken in response to a  
24 recommendation;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) a unit has not taken the action the unit indicated in its  
2 response to a recommendation;

3 (iv) a unit requests a waiver from a recommendation; or

4 (v) the response by the unit is not considered appropriate to  
5 carry out the recommendation.

6 (2) The Executive Director or the Joint Audit Committee may direct  
7 the Legislative Auditor to undertake a review to determine the extent to which action  
8 has been taken by a unit to implement a report recommendation.

9 (3) With respect to findings and recommendations of a  
10 fiscal/compliance nature, the Committee [may] **SHALL** recommend to the Governor  
11 and the Comptroller that the unit take the corrective action the unit indicates would  
12 be taken or take action to correct the findings in the report [or the Committee may  
13 grant a waiver from the recommended action].

14 (4) Within 45 days after receipt of the recommendation the Governor  
15 shall advise the Committee as to the action taken with respect to the recommendation.

16 (5) [Without concurrence of the Comptroller, the Committee may not  
17 waive a recommendation of the Legislative Auditor with respect to fiscal and financial  
18 record keeping, a uniform system of accounting, or the submission of fiscal and  
19 financial reports by the units.

20 (6) With respect to findings and recommendations of a performance  
21 nature, the Committee may make recommendations to the Governor or propose  
22 legislation after reviewing a unit's response to a recommended action.

23 [(7) (6) The Legislative Auditor shall review each local school  
24 system's response to an audit conducted under § 2-1220(e) of this subtitle and advise  
25 the local school system of the results of the review. The Legislative Auditor shall  
26 advise the Joint Audit Committee when a local school system:

27 (i) does not make a response to a recommendation;

28 (ii) does not indicate action to be taken in response to a  
29 recommendation;

30 (iii) has not taken the action the local school system indicated in  
31 its response to a recommendation; or

32 (iv) responds in a manner that is not considered appropriate to  
33 carry out the recommendation.

1           **[(8) (7)**       The Executive Director or the Joint Audit Committee may  
2 direct the Legislative Auditor to undertake a review to determine the extent to which  
3 action has been taken by a local school system to implement a report recommendation.

4           **[(9) (8)**       With respect to findings and recommendations made to a  
5 local school system, the Joint Audit Committee may make recommendations to the  
6 Governor, State Superintendent of Schools, the local school governing board, or local  
7 school officials after reviewing a local school system's response to a recommended  
8 action.

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2012.