



**House Ways and Means General Fund Reported
Substitute for HB337**

A BILL

TO BE ENTITLED

AN ACT

Relating to the Department of Finance; to amend Sections 41-4-3 and 41-4-50, Code of Alabama 1975; to provide for the charging of a reasonable fee for services provided by the Department and to allow the State Comptroller to pay a vendor which is entitled to payment for services or goods rendered to the State.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 41-4-3, Code of Alabama 1975, is amended to read as follows:

"§41-4-3

It shall be the duty of the Department of Finance:

(1) To manage, supervise and control all matters pertaining to the fiscal affairs and fiscal procedure of the state, except such as may, by the constitution or statute, be specifically required to be performed by the Auditor, the Treasurer or the Department of Revenue, and to keep all records, accounts, and data relating thereto. The Department may charge a reasonable fee for any services provided by the Department or its Divisions in carrying out the duties herein.

(2) To manage and supervise all state real property



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wherever located through a centralized organization within the department.

(3) To manage, supervise and control the insurance of all state property, wherever located.

(4) To operate, manage, and administer the State Insurance Fund.

(5) To make the annual financial report of the state, as soon as possible after the close of each fiscal year, in accordance with approved public accounting practice, and in such form and such detail as may be necessary to present an accurate description of the financial condition of the state during the preceding fiscal year. The reports of the Auditor and the Treasurer shall be bound with, and printed as a part of, such report.

(6) To conduct such studies, to secure such information and data, to make such reports, and to furnish such information as may be required by the Governor or the Legislature."

Section 2. Section 41-4-50, Code of Alabama 1975, is amended to read as follows:

"§41-4-50

There shall be in the Department of Finance the division of control and accounts. The functions and duties of the division of control and accounts shall be as follows:

(1) To keep all books, records and accounts relating to the finances of the state government (including the budget accounts) which are authorized or required to be kept by the Department of Finance, in accordance with recognized standards



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of public accounting and in such a manner as at all times to reveal the true financial status of the state government and of each special fund and account in the State Treasury.

(2) (a) To control and make records of all payments into and out of the State Treasury and each special fund and account therein.

(b) When the Comptroller finds that, in a prior fiscal year, the state has failed to give a vendor payment to which ~~they are~~ it is entitled and the state or any department, divisions, bureau, commission, board or other agency thereof, agrees that the payment is due, the Comptroller, with the approval of the Director of Finance, shall approve such request for payment from the department, division, bureau, commission, board or other agency thereof and shall draw a warrant on the Treasury from the affected agency's funds for the amount thereof in favor of such vendor.

(3) To audit currently all receipts and receivables.

(4) To preaudit and determine the correctness and legality of every claim and account submitted for the issuance of a warrant and to determine that funds have been appropriated and allotted and are then available in the State Treasury for the payment of such claim or account before any warrant on the State Treasury shall be issued; except, that the preaudit of claims for unemployment compensation or public assistance or child welfare or income tax refunds shall be performed by the department or departments having charge of the other functions and duties relating to unemployment compensation, or public assistance, or child welfare, or



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income tax refunds subject to the general supervision of the division of control and accounts.

(5)a. To draw every warrant authorized to be drawn upon the State Treasury and any fund therein, whether a special or earmarked fund or not.

b. Any law to the contrary notwithstanding, any or all warrants issued by the division of control and accounts may be transferred or deposited electronically or by other acceptable methods to any financial institution capable of handling direct deposits by electronic transfer or other acceptable methods if written approval is given by the original payee of said warrant. The state Comptroller shall maintain files on all written approvals given by original payees and separate records on all transfers of funds authorized in this subsection and shall furnish sufficient documentation for the purpose of auditing and reconciling such electronic financial transactions.

(6) To secure such information and data, to prepare or make such studies and reports and to perform such other functions and duties of the Department of Finance as may from time to time be assigned by the Director of Finance."

This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.