

**HB337 ENROLLED**



1 YDGM2N-3  
2 By Representative South  
3 RFD: Ways and Means General Fund  
4 First Read: 18-Apr-23  
5 2023 Regular Session



## HB337 Enrolled

1 Enrolled, An Act,

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

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

12 "§41-4-3

13 It shall be the duty of the Department of Finance:

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

22 (2) To manage and supervise all state real property  
23 wherever located through a centralized organization within the  
24 department.

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

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



## HB337 Enrolled

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

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

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

43           "§41-4-50

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

47           (1) To keep all books, records and accounts relating to  
48 the finances of the state government (including the budget  
49 accounts) which are authorized or required to be kept by the  
50 Department of Finance, in accordance with recognized standards  
51 of public accounting and in such a manner as at all times to  
52 reveal the true financial status of the state government and  
53 of each special fund and account in the State Treasury.

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



## HB337 Enrolled

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

67           (3) To audit currently all receipts and receivables.

68           (4) To preaudit and determine the correctness and  
69 legality of every claim and account submitted for the issuance  
70 of a warrant and to determine that funds have been  
71 appropriated and allotted and are then available in the State  
72 Treasury for the payment of such claim or account before any  
73 warrant on the State Treasury shall be issued; except, that  
74 the preaudit of claims for unemployment compensation or public  
75 assistance or child welfare or income tax refunds shall be  
76 performed by the department or departments having charge of  
77 the other functions and duties relating to unemployment  
78 compensation, or public assistance, or child welfare, or  
79 income tax refunds subject to the general supervision of the  
80 division of control and accounts.

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

84           b. Any law to the contrary notwithstanding, any or all



## HB337 Enrolled

85 warrants issued by the division of control and accounts may be  
86 transferred or deposited electronically or by other acceptable  
87 methods to any financial institution capable of handling  
88 direct deposits by electronic transfer or other acceptable  
89 methods if written approval is given by the original payee of  
90 said warrant. The state Comptroller shall maintain files on  
91 all written approvals given by original payees and separate  
92 records on all transfers of funds authorized in this  
93 subsection and shall furnish sufficient documentation for the  
94 purpose of auditing and reconciling such electronic financial  
95 transactions.

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

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



**HB337 Enrolled**

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 25-MAY-23.

John Treadwell  
Clerk

Senate

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**01-Jun-23**

Passed