

HB337 INTRODUCED



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

Under existing law, the Department of Finance manages and supervises all matters relating to the fiscal affairs and procedures of the state.

This bill clarifies the Department's authority to charge fees for the services it provides in carrying out the Department's responsibilities and to allow the State Comptroller to pay a vendor which is entitled to payment for goods or services rendered to the State.

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:

HB337 INTRODUCED

29 "§41-4-3

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

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

39 (2) To manage and supervise all state real property
40 wherever located through a centralized organization within the
41 department.

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

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

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

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

HB337 INTRODUCED

57 Legislature."

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

60 "§41-4-50

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

64 (1) To keep all books, records and accounts relating to
65 the finances of the state government (including the budget
66 accounts) which are authorized or required to be kept by the
67 Department of Finance, in accordance with recognized standards
68 of public accounting and in such a manner as at all times to
69 reveal the true financial status of the state government and
70 of each special fund and account in the State Treasury.

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

74 (b) When the Comptroller finds that, in a prior fiscal
75 year, the state has failed to give a vendor payment to which
76 they are entitled and the state or any department, divisions,
77 bureau, commission, board or other agency thereof, agrees that
78 the payment is due, the Comptroller, with the approval of the
79 Director of Finance, shall draw a warrant on the Treasury for
80 the amount thereof in favor of such vendor.

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

82 (4) To preaudit and determine the correctness and
83 legality of every claim and account submitted for the issuance
84 of a warrant and to determine that funds have been

HB337 INTRODUCED

85 appropriated and allotted and are then available in the State
86 Treasury for the payment of such claim or account before any
87 warrant on the State Treasury shall be issued; except, that
88 the preaudit of claims for unemployment compensation or public
89 assistance or child welfare or income tax refunds shall be
90 performed by the department or departments having charge of
91 the other functions and duties relating to unemployment
92 compensation, or public assistance, or child welfare, or
93 income tax refunds subject to the general supervision of the
94 division of control and accounts.

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

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

110 (6) To secure such information and data, to prepare or
111 make such studies and reports and to perform such other
112 functions and duties of the Department of Finance as may from

HB337 INTRODUCED

113 time to time be assigned by the Director of Finance."

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