

House Bill 456 (AS PASSED HOUSE AND SENATE)

By: Representatives Tankersley of the 160th, Powell of the 171st, Dickey of the 140th, Houston of the 170th, Burns of the 159th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 81 of Title 36 of the Official Code of Georgia Annotated,
2 relating to local government budgets and audits, so as to increase the expenditure amount for
3 which a local government may elect an annual report in lieu of a biennial audit; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 81 of Title 36 of the Official Code of Georgia Annotated, relating to
8 local government budgets and audits, is amended by revising subsection (a) of Code Section
9 36-81-7, relating to requirement of audits, conduct of audits, audit reports, forwarding of
10 audits to state auditor, failure to file or correct deficiencies, and public inspection, as follows:

11 "(a)(1) Beginning with the local government fiscal year which ends between July 1,
12 1994, and June 30, 1995, the governing authority of each unit of local government having
13 a population in excess of 1,500 persons according to the latest estimate of population by
14 the United States Bureau of the Census or its successor agency or expenditures of
15 ~~\$300,000.00~~ \$550,000.00 or more shall provide for and cause to be made an annual audit
16 of the financial affairs and transactions of all funds and activities of the local government
17 for each fiscal year of the local government.

18 (2) The governing authority of each local unit of government not included in
19 paragraph (1) of this subsection shall provide for and cause to be made the audit required
20 pursuant to paragraph (1) of this subsection not less often than once every two fiscal
21 years. Audits performed pursuant to this paragraph shall be for both fiscal years.

22 (3) The governing authority of each local unit of government having expenditures of less
23 than ~~\$300,000.00~~ \$550,000.00 in that government's most recently ended fiscal year may
24 elect to provide for and cause to be made, in lieu of the biennial audit otherwise required
25 under paragraph (2) of this subsection, an annual report of agreed upon procedures for
26 that fiscal year. The agreed upon procedures shall include as a minimum: proof and

27 reconciliation of cash, confirmation of cash balances, a listing of bank balances by bank,
28 a statement of cash receipts and cash disbursements, a review of compliance with state
29 law, and a report of agreed upon procedures. This agreed upon procedures report shall be
30 in a format prescribed by the state auditor and shall constitute an annual audit report for
31 purposes of and within the meaning of the requirements of subsections (d) through (g) of
32 this Code section. The Department of Community Affairs is authorized to assist
33 requesting local governments in preparing agreed upon procedures reports required under
34 this paragraph and in establishing record-keeping procedures needed in preparing those
35 reports and is further authorized to charge those local governments reasonable fees for
36 that assistance. To the extent that the state auditor is able to perform the agreed upon
37 procedures, the governing body may contract with the state auditor.
38 (4) At the option of the governing authority, an audit may be made at a lesser interval
39 than one year."

40 **SECTION 2.**

41 All laws and parts of laws in conflict with this Act are repealed.