

CHAPTER 3  
DUTIES OF THE AUDITOR OF STATE  
H. F. 8

AN ACT to amend, revise, and codify subsection seven (7) of section one hundred eighteen (118), sections one hundred twenty-seven (127) to one hundred thirty-one (131), inclusive, one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-six (136), two hundred seventy-four (274) and seven hundred twenty-five (725) of the compiled code of Iowa, and sections one hundred thirty-two (132) and one hundred thirty-five (135) of the supplement to said code, relating to certain duties of the auditor of state and to uniform system of accounts of public corporations and organizations, and to the examination of such accounts.

Be It Enacted by the General Assembly of the State of Iowa:

That subsection seven (7) of section one hundred eighteen (118) and section seven hundred twenty-five (725) of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Section 1. To superintend fiscal affairs.

7. To superintend fiscal affairs. To superintend the fiscal affairs of the state, and secure their management as required by law.

That sections one hundred twenty-seven (127) to one hundred thirty-one (131), inclusive, one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-six (136), and two hundred seventy-four (274) of the compiled Code of Iowa, and sections one hundred thirty-two (132) and one hundred thirty-five (135) of the supplement to said Code are amended, revised, and codified to read as follows:

Sec. 2. Uniform system of accounting. The auditor of state shall prescribe a uniform system of blanks and forms for all financial accounts, receipts, and reports of all county, city, and town offices, including offices of cities acting under special charter. Said system shall, as far as practicable, follow the classifications and definitions of such transactions in use in the national census office, when not in conflict with the laws of this state. Said blanks and forms shall, by said auditor, be revised, from time to time, in order to render the same more efficient and to meet changes in the law.

Sec. 3. Duty to install. It shall be the specific duty of each county, city, and town officer to install and use in his office the system of uniform blanks and forms so prescribed for his office. State examiners of accounts are charged with the specific duty to assist all such officers in installing said system.

Sec. 4. Examination of cities and counties. The auditor of state shall cause the financial condition and transactions of county offices to be examined at least once each year, by a state examiner of accounts, and shall cause a like examination, biennially, of all offices of all cities and towns having a population of three thousand (3,000) or more, including offices of cities acting under special charter.

Sec. 5. State examiners. The auditor of state shall appoint such number of state examiners of accounts as may be necessary to make such examinations. Said examiners shall be of recognized skill and integrity, familiar with the system of accounting in county and city offices and with the laws relating to county and city affairs. Each examiner shall give bond in the sum of two thousand dollars (\$2,000.00), conditioned as the bonds of county officers, which bonds shall be approved and filed as bonds of state officers. Such examiners shall hold their positions for four (4) years, unless sooner removed by the auditor of state for cause, and shall be subject at all times to the direction of said auditor.

Sec. 6. Assistants. The auditor of state shall appoint such additional assistants to the examiners as may be necessary, who shall be subject to discharge at any time by the auditor. Such assistants shall receive such reasonable compensation as the auditor may fix and shall be paid in the same manner as examiners. The compensation of such assistants shall be considered as part of the cost of examination.

Sec. 7. Examinations. Said examiners shall have the right while making said examinations, to examine all papers, books, records, and documents of any of said offices and shall have the right, in the presence of the custodian or his deputy, to have access to the cash drawers and cash in the official custody of such officer, and like right, during business hours, to examine the public accounts of the county or city in any depository which has public funds in its custody pursuant to law.

Sec. 8. Scope of examinations. All examinations shall be made without notice to the office examined. On every examination inquiry shall be made as to the financial condition and resources of the county or city; whether the cost price for improvements and materials in said county or city is in excess of the cost price for like things in other counties or cities of the state; whether the county or city authorities are complying with the law; and whether the accounts and reports are being accurately kept.

Sec. 9. Subpoenas. The auditor of state, and all examiners shall, in all matters pertaining to an authorized examination, have power to issue subpoenas of all kinds, administer oaths and examine witnesses, either orally or in writing, and the expense attending the same, including the expense of taking oral examinations in shorthand, shall be paid as other expenses of the examiner.

Sec. 10. Refusal to testify. In case any witness duly subpoenaed refuses to attend, or refuses to produce documents, books, and papers, or shall attend and refuse to make oath or affirmation, or, being sworn or affirmed, shall refuse to testify, the auditor of state or the examiner may apply to the district court, or any judge of said district having jurisdiction thereof, for the enforcement of attendance and answers to questions as provided by law in the matter of taking depositions.

Sec. 11. Reports. A report of such examination shall be made in triplicate, signed, and verified by the officer making the examination; one (1) copy to be filed with the auditor of state; one (1) copy with the officer under investigation, and one (1) copy with the auditor of the county if county office is under investigation, or with the mayor or city council if a city office is under investigation. All reports shall be open to public inspection.

If said examination discloses any irregularity in the collection or disbursement of public funds or in the abatement of taxes a copy of said report shall be filed with the county attorney and it shall be his duty to cooperate with the state auditor, and, in proper cases, with the attorney general, to secure the correction of the irregularity.

Sec. 12. Duty of attorney general. In the event such examination discloses any grounds which would be ground for removal from office, a fourth copy of said report shall be provided and filed by the auditor of state in the office of the attorney general of the state, who shall thereupon take such action as, in his judgement, the facts and circumstances warrant.

Sec. 13. Disclosures prohibited. No such examiner shall make any disclosure of the result of any investigation, except as he is required by law to report the same or testify in court. Any violation of this provision shall be ground for removal.

Sec. 14. Examination of other municipalities. Any township, school, or municipal corporation, not embraced within the foregoing provisions of this chapter, may, on application to the auditor of state, secure an examination of its financial transactions and the conditions of its funds, or a like examination may be had on an application of twenty-five (25) or more taxpayers of such township, school, or other corporation, accompanied by such showing of facts as, in the opinion of the auditor of state, will justify such examination.

Sec. 15. Bills. Each examiner shall, on the completion of an examination, file with the auditor of state a detailed, itemized, and sworn voucher of his per diem and expenses, which voucher, when approved by said auditor and by the state board of audit, shall be paid from any unappropriated funds in the state treasury.

Sec. 16. State reimbursed. Upon payment by the state of the per diem and expense aforesaid, the auditor of state shall at once file with the warrant-issuing officer of the county or municipality whose office was examined, a copy of the voucher so paid by the state and thereupon said warrant-issuing officer shall at once draw his warrant for said amount on the general funds of his county or municipality in favor of the auditor of state, which warrant shall be placed to the credit of the general fund of the state.

Sec. 17. Biennial report of expenditures. The auditor of state shall, biennially, at the time provided by law, compile a complete report of the expenditures of the several state offices and institutions, except institutions under the management of the state board of control and state board of education. Such report shall show:

1. The amount and nature of all expenditures.
2. The price paid for things purchased or furnished for said departments or institutions.
3. The rates paid as salary or per diem, with the names of the officers, clerks, or employees receiving compensation or payment for expenses.
4. A statement of all supplies drawn by the several offices.
5. A statement of the fees collected by each of the several offices, boards, commissions, and institutions, and the disposition of such fees.

Sec. 18. Additional data. All data required for the foregoing report and not otherwise provided for, shall be reported to said auditor by the several officers, departments, and institutions at such times and in such form as he may direct.

Sec. 19. Biennial report of standing appropriations. The auditor of state shall biennially prepare a separate report containing a complete list of all standing appropriations showing the amount of each appropriation and the purpose for which such appropriation is made and to furnish a copy of such report to each member of the general assembly on or before the first day of the session.

Approved April 18, 1924.