

(P. 846) 3/18/96 Motion to R/C by Rife
H. 3/27/96 State Gov.

Motion
w/D
3/27/96

FILED MAR 4 1996

SENATE FILE 2411
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 2323)

Passed Senate (P. 834) Date 3/18/96 Passed House, Date _____
Vote: Ayes 48 Nays 1 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing the state auditor with the right to examine
2 documents of state officers and departments.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2411

1 Section 1. Section 11.2, subsection 1, Code 1995, is
2 amended by adding the following new unnumbered paragraphs:
3 NEW UNNUMBERED PARAGRAPH. The auditor of state shall at
4 all times, with regard to all state officers, departments, and
5 persons receiving or expending state funds, have access to and
6 the right to examine all papers, books, records, documents,
7 and other instrumentalities, however maintained, that are used
8 in the performance of statutory duties or in relation to the
9 use of state funds. All state officers, departments, and
10 persons receiving or expending state funds shall cooperate
11 with the auditor and shall make available such papers, books,
12 records, documents, and other instrumentalities.

13 NEW UNNUMBERED PARAGRAPH. If information sought by the
14 auditor of state is required to be kept confidential, the
15 auditor shall have access to the information, but shall
16 maintain the confidentiality of the information, and shall be
17 subject to the same penalties for dissemination of the
18 information as the lawful custodian of the information.

19 NEW UNNUMBERED PARAGRAPH. The auditor may issue subpoenas
20 for production of any papers, books, records, documents, and
21 other instrumentalities to which the auditor is authorized to
22 have access. If any person subpoenaed refuses to produce the
23 subpoenaed material, the auditor may apply to the district
24 court having jurisdiction over that person for the enforcement
25 of the subpoena.

26 EXPLANATION

27 This bill establishes a right of the state auditor to
28 access the documents of other state offices and departments
29 that are relevant to the auditor's statutory obligation to
30 annually audit each state department. The offices and
31 departments are expressly required to provide such access.
32 The right of access is enforceable by subpoena. The auditor
33 is obligated to maintain the confidentiality of any documents
34 reviewed, and is subject to penalty for failing to observe any
35 confidentiality. These rights are modeled upon the statutory

1 rights to review documents that are currently available to the
2 legislative fiscal bureau.

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Gronstal
Kibbie
Drake

SSB-2323
State Government
Succeeded By
SF) HF 2411

SENATE FILE
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON GRONSTAL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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