

HB 125-FN-LOCAL – AS INTRODUCED

2015 SESSION

15-0048

10/01

HOUSE BILL

125-FN-LOCAL

AN ACT relative to county audits and competitive bidding for county services.

SPONSORS: Rep. Cordelli, Carr 4; Rep. Umberger, Carr 2; Rep. McConkey, Carr 3; Rep. Avellani, Carr 5; Rep. Comeau, Carr 5; Rep. F. McCarthy, Carr 2; Rep. L. Ober, Hills 37; Rep. S. Schmidt, Carr 6; Rep. Jones, Straf 24; Sen. Bradley, Dist 3

COMMITTEE: Municipal and County Government

ANALYSIS

This bill clarifies the requirement for annual audits of the accounts of county officers. The bill also provides for the competitive bidding for the purchase of services by a county.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to county audits and competitive bidding for county services.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 County Audits; Annual Requirement. Amend RSA 28:3-a to read as follows:

2 28:3-a County Audits. **All counties shall annually, or more often as necessary, conduct**
 3 **an audit of any officer or agent handling funds of the county.** In the event that an audit is
 4 required, the commissioners, with the approval of the executive committee of the county convention,
 5 shall engage the services of a certified public accountant qualified in municipal and county finances
 6 for the purpose of conducting an audit of the county books of account. The performance and scope of
 7 the audit shall be in accordance with generally-accepted auditing practice. The audit shall include
 8 an examination for conformance with state and federal laws and regulations relating to county
 9 finances, including rules adopted by the commissioner of revenue administration pursuant to
 10 RSA 541-A, and shall also include an examination of any subject of county finances that may be
 11 requested either by the commissioners, by the county convention, or by the treasurer. The audit
 12 shall be completed within 90 days following the close of the county fiscal year. The commissioners
 13 shall cause the report of the auditor, together with the customary management letter and auditee
 14 responses, to be published with or supplementary to the annual reports of the county officers **and be**
 15 **made available to the public.**

16 2 Counties; Competitive Bidding; Purchase of Services. Amend RSA 28:8 to read as follows:

17 28:8 Competitive Bidding on Purchases. Any purchase of equipment [~~or~~], materials, **or services**
 18 made by a county in an amount exceeding \$5,000 shall be by competitive bidding, provided that the
 19 county commissioners by unanimous vote **in public session** may waive the provisions for such
 20 bidding. In case the commissioners so vote a copy of such action shall be recorded in their offices
 21 with a statement of the reason therefor and such record shall be open to public inspection. Orders
 22 for equipment or material to be delivered at different times where the single delivery may be less
 23 than \$5,000 but the total order exceeds that amount shall be construed as coming within the
 24 provisions hereof requiring competitive bidding.

25 3 Department of Revenue Administration; County Audits. Amend RSA 21-J:20 to read as
 26 follows:

27 21-J:20 Audit on Motion of Commissioner. The commissioner may cause an audit to be made of
 28 the accounts of any **county**, city, town, school district, or village district or precinct, as often as once
 29 in 2 years, or whenever conditions appear to him **or her** to warrant such audit. The accounts of all
 30 county officers shall be audited annually by a certified public accountant, and a complete report of
 31 such audit shall be made available to the public.

1 4 Effective Date. This act shall take effect 60 days after its passage.

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HB 125-FN-LOCAL - FISCAL NOTE

AN ACT relative to county audits and competitive bidding for county services.

FISCAL IMPACT:

The New Hampshire Association of Counties states this bill, **as introduced**, may have an indeterminable impact on county expenditures. There will be no impact on state and local expenditures, or state, county, and local revenue.

METHODOLOGY:

The New Hampshire Association of Counties states this bill clarifies the statutory requirement for each county to undergo an annual audit of the officers or agents handling county funds. The Association states that, since it is current practice for each county to undergo an annual audit, this provision of the bill will align statute with current practice; accordingly, the Association states there will be no fiscal impact. In addition, the bill requires competitive bidding for county services exceeding \$5,000. The Association states that this provision may have a minimal indeterminable impact on county expenditures.