

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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4 SYNOPSIS:

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

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

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16 A BILL
17 TO BE ENTITLED
18 AN ACT
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20 Relating to the Department of Finance; to amend
21 Sections 41-4-3 and 41-4-50, Code of Alabama 1975; to provide
22 for the charging of a reasonable fee for services provided by
23 the Department and to allow the State Comptroller to pay a
24 vendor which is entitled to payment for services or goods
25 rendered to the State.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

27 Section 1. Section 41-4-3, Code of Alabama 1975, is
28 amended to read as follows:

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"§41-4-3

It shall be the duty of the Department of Finance:

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

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

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

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

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

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

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Legislature."

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

"§41-4-50

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

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

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

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

(3) To audit currently all receipts and receivables.

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

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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

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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.