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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/26/2017	.	
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The Committee on Appropriations (Stargel) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 617 and 618
insert:

(9) For each audit required by s. 218.39, the auditor shall include the following information in the management letter prepared pursuant to s. 218.39(4):

(a) The date the entity's governing body approved the selection of the auditor and the date the entity and the auditor executed the most recent contract pursuant to subsection (7);



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11 (b) The first fiscal year for which the auditor conducted
12 the audit under the most recently executed contract pursuant to
13 subsection (7); and

14 (c) The contract period, including renewals, and conditions
15 under which the contract may be terminated or renewed.

16 (10) On each occasion that an entity contracts with an
17 auditor to conduct an audit pursuant to s. 218.39, an affidavit
18 shall be executed by the chair of the entity's governing body in
19 a format prescribed in accordance with rules adopted by the
20 Auditor General, affirming that the auditor was selected in
21 compliance with the requirements of subsections (3)-(6). The
22 affidavit must accompany the entity's first audit report
23 prepared by the auditor under the most recently executed
24 contract pursuant to subsection (7). The affidavit shall include
25 the following information:

26 (a) The date the entity's governing body approved the
27 selection of the auditor;

28 (b) The first fiscal year for which the auditor conducted
29 the audit; and

30 (c) The contract period, including renewals, and conditions
31 under which the contract may be terminated or renewed.

32 (11) If the entity fails to select the auditor in
33 accordance with the requirements of subsections (3)-(6), the
34 entity shall again perform the auditor selection process in
35 accordance with this section to select an auditor to conduct
36 audits for subsequent fiscal years if the original audit was
37 performed under a multiyear contract.

38 (a) If performing the auditor selection process again in
39 accordance with this section would preclude the entity from



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40 timely completing the annual financial audit required by s.
41 218.39, the entity shall again perform the auditor selection
42 process in accordance with this section for the subsequent
43 annual financial audit. A multiyear contract entered into
44 between an entity and an auditor after the effective date of
45 this act may not prohibit or restrict an entity from complying
46 with the section.

47 (b) If the entity fails to perform the auditor selection
48 process again, pursuant to this subsection, the Legislative
49 Auditing Committee shall determine whether the entity should be
50 subject to state action pursuant to s. 11.40(2).

51 (12) If the entity fails to provide the Auditor General
52 with the affidavit required by subsection (10), the Auditor
53 General shall request that the entity provide the affidavit. The
54 affidavit must be provided within 45 days after the date of the
55 request. If the entity does not comply with the Auditor
56 General's request, the Legislative Auditing Committee shall
57 determine whether the entity should be subject to state action
58 pursuant to s. 11.40(2).

59 (13) If the entity provides the Auditor General with the
60 affidavit required in subsection (10) but failed to select the
61 auditor in accordance with the requirements of subsections (3)-
62 (6), the Legislative Auditing Committee shall determine whether
63 the entity should be subject to state action pursuant to s.
64 11.40(2).

65
66 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====
67 And the directory clause is amended as follows:

68 Delete line 589



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69 and insert:
70 Statutes, is amended, and subsections (9) through (13) are added
71 to that section, to read:

72
73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete line 59

76 and insert:
77 entity; requiring an auditor to include certain
78 information in a management letter; requiring the
79 chair of a governmental entity's governing body to
80 submit an affidavit containing certain information
81 when the entity contracts with an auditor to conduct
82 an audit; providing requirements and procedures for
83 selecting an auditor; requiring the Legislative
84 Auditing Committee to determine whether a governmental
85 entity should be subject to state action under certain
86 circumstances; amending s. 286.0114, F.S.; prohibiting
87 a