
SENATE BILL 5002

State of Washington

67th Legislature

2021 Regular Session

By Senators Hunt, Carlyle, Conway, Dhingra, Hasegawa, Hawkins, Mullet, Rivers, and Wilson, C.; by request of State Auditor

Prefiled 12/08/20. Read first time 01/11/21. Referred to Committee on State Government & Elections.

1 AN ACT Relating to the state auditor's duties and procedures;
2 amending RCW 43.09.185, 43.09.230, and 43.09.420; amending 2012 c 164
3 s 709 (uncodified); repealing RCW 43.09.265, 43.09.430, 43.09.435,
4 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, and 43.88.162;
5 and repealing 2005 c 385 s 1 (uncodified).

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 43.09.185 and 1995 c 301 s 8 are each amended to
8 read as follows:

9 State agencies and local governments shall immediately report to
10 the state auditor's office known or suspected loss of public funds or
11 assets or other illegal activity. The state auditor must adopt
12 policies as necessary to implement this section.

13 **Sec. 2.** RCW 43.09.230 and 2020 c 179 s 1 are each amended to
14 read as follows:

15 (1) As used in this section:

16 (a) "Special purpose district" means every municipal and quasi-
17 municipal corporation other than counties, cities, and towns. Such
18 special purpose districts include, but are not limited to, water-
19 sewer districts, fire protection districts, port districts, public
20 utility districts, special districts as defined in RCW 85.38.010,

1 lake and beach management districts, conservation districts, and
2 irrigation districts.

3 (b) "Unauditable" means a special purpose district that the state
4 auditor has determined to be incapable of being audited because the
5 special purpose district has improperly maintained, failed to
6 maintain, or failed to submit adequate accounts, records, files, or
7 reports for an audit to be completed.

8 (2) The state auditor shall require from every local government
9 financial reports covering the full period of each fiscal year, in
10 accordance with the forms and methods prescribed by the state
11 auditor, which shall be uniform for all accounts of the same class.

12 Such reports shall be prepared, certified, and filed with the
13 state auditor within one hundred fifty days after the close of each
14 fiscal year.

15 The reports shall contain accurate statements, in summarized
16 form, of all collections made, or receipts received, by the officers
17 from all sources; all accounts due the public treasury, but not
18 collected; and all expenditures for every purpose, and by what
19 authority authorized; and also: (a) A statement of all costs of
20 ownership and operation, and of all income, of each and every public
21 service industry owned and operated by a local government; (b) a
22 statement of the entire public debt of every local government, to
23 which power has been delegated by the state to create a public debt,
24 showing the purpose for which each item of the debt was created, and
25 the provisions made for the payment thereof; and (c) a classified
26 statement of all receipts and expenditures by any public institution;
27 (~~and (d) a statement of all expenditures for labor relations~~
28 ~~consultants, with the identification of each consultant,~~
29 ~~compensation, and the terms and conditions of each agreement or~~
30 ~~arrangement;)) together with such other information as may be
31 required by the state auditor.~~

32 The reports shall be certified as to their correctness by the
33 state auditor, the state auditor's deputies, or other person legally
34 authorized to make such certification.

35 Their substance shall be published in an annual volume of
36 comparative statistics at the expense of the state as a public
37 document.

38 (3) (a) (i) On or before December 31, 2020, and on or before
39 December 31st of each year thereafter, the state auditor must search
40 available records and notify the legislative authority of a county if

1 any special purpose districts, located wholly or partially within the
2 county, have been determined to be unauditable. If the boundaries of
3 the special purpose district are located within more than one county,
4 the state auditor must notify all legislative authorities of the
5 counties within which the boundaries of the special purpose district
6 lie.

7 (ii) If a county has been notified as provided in (a)(i) of this
8 subsection (3), the special purpose district and the county auditor,
9 acting on behalf of the special purpose district, are prohibited from
10 issuing any warrants against the funds of the special purpose
11 district until the district has had its report certified by the state
12 auditor.

13 (iii) Notwithstanding (a)(ii) of this subsection (3), a county
14 may authorize the special purpose district and the county auditor to
15 issue warrants against the funds of the special purpose district:

16 (A) In order to prevent the discontinuation or interruption of
17 any district services;

18 (B) For emergency or public health purposes; or

19 (C) To allow the district to carry out any district duties or
20 responsibilities.

21 (b)(i) On or before December 31, 2020, and on or before December
22 31st of each year thereafter, the state auditor must search available
23 records and notify the state treasurer if any special purpose
24 districts have been determined to be unauditable.

25 (ii) If the state treasurer has been notified as provided in
26 (b)(i) of this subsection (3), the state treasurer may not distribute
27 any local sales and use taxes imposed by a special purpose district
28 to the district until the district has had its report certified by
29 the state auditor.

30 **Sec. 3.** RCW 43.09.420 and 1993 c 216 s 1 are each amended to
31 read as follows:

32 As part of the routine audits of state agencies, the state
33 auditor shall audit all revolving funds, local funds, and other state
34 funds and state accounts that are not managed by or in the care of
35 the state treasurer and that are under the control of state agencies,
36 including but not limited to state departments, boards, and
37 commissions. In conducting the audits of these funds and accounts,
38 the auditor shall examine revenues and expenditures or assets and
39 liabilities, accounting methods and procedures, and recordkeeping

1 practices. (~~In addition to including the results of these~~
2 ~~examinations as part of the routine audits of the agencies, the~~
3 ~~auditor shall report to the legislature on the status of all such~~
4 ~~funds and accounts that have been examined during the preceding~~
5 ~~biennium and any recommendations for their improved financial~~
6 ~~management. Such a report shall be filed with the legislature within~~
7 ~~five months of the end of each biennium regarding the funds and~~
8 ~~accounts audited during the biennium. The first such report shall be~~
9 ~~filed by December 1, 1993, regarding any such funds and accounts~~
10 ~~audited during the 1991-93 biennium.))~~

11 **Sec. 4.** 2012 c 164 s 709 (uncodified) is amended to read as
12 follows:

13 The state auditor shall conduct ((performance)) audits of the
14 long-term in-home care program after consultation with affected
15 disability and aging stakeholder groups. The first audit must be
16 completed within twelve months after January 7, 2012, and must be
17 completed on a biennial basis thereafter. As part of this auditing
18 process, the state shall hire five additional fraud investigators to
19 ensure that clients receiving services at taxpayers' expense are
20 medically and financially qualified to receive the services and are
21 actually receiving the services. An audit conducted by the state
22 auditor under the authority of RCW 43.09.020 and 43.09.050(2) may
23 satisfy this requirement, provided that a performance audit of the
24 program was completed in the preceding biennium.

25 NEW SECTION. **Sec. 5.** The following acts or parts of acts are
26 each repealed:

27 (1) 2005 c 385 s 1 (uncodified);

28 (2) RCW 43.09.265 (Local government accounting—Review of tax
29 levies of local governments) and 1995 c 301 s 16 & 1979 ex.s. c 218 s
30 7;

31 (3) RCW 43.09.430 (Performance audits—Definitions) and 2005 c 385
32 s 2;

33 (4) RCW 43.09.435 (Performance audits—Citizen advisory board) and
34 2005 c 385 s 3;

35 (5) RCW 43.09.440 (Performance audits—Collaboration with joint
36 legislative audit and review committee—Criteria—Statewide

1 performance review—Contracting out—Release of audit reports) and
2 2012 c 229 s 817 & 2005 c 385 s 5;
3 (6) RCW 43.09.445 (Performance audits—Local jurisdictions) and
4 2005 c 385 s 6;
5 (7) RCW 43.09.450 (Performance audits—Audit of performance audit
6 program) and 2005 c 385 s 8;
7 (8) RCW 43.09.455 (Performance audits—Follow-up and corrective
8 action—Progress reports) and 2005 c 385 s 9;
9 (9) RCW 43.09.460 (Performance audits—Appropriation—Budget
10 request) and 2005 c 385 s 11; and
11 (10) RCW 43.88.162 (State auditor's powers and duties—Performance
12 audits) and 2005 c 385 s 7.

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