
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 439 by Representative Greene

1 AMENDMENT NO. 12 On page 1, line 10 after "attorney" insert "; recovery of costs"3 AMENDMENT NO. 2

4 On page 1, delete lines 11 through 18 and insert:

5 "A. An agency head of an auditee who has actual knowledge or reasonable
6 cause to believe that there has been a ~~of any~~ misappropriation of the public funds or
7 assets of his agency shall immediately notify, in writing, the legislative auditor and
8 the district attorney of the parish in which the agency is domiciled of such
9 misappropriation. The district attorney, or other prosecutorial agency, notified of
10 such misappropriation may request audit assistance from the legislative auditor with
11 respect to the misappropriation."

12 AMENDMENT NO. 3

13 On page 2, delete lines 1 through 10 and insert:

14 "B. When misappropriation is discovered and reported, the attorney general,
15 at the request of the legislative auditor, shall be authorized to recover
16 misappropriated funds from the responsible party by civil suit. Upon a
17 finding of misappropriation, the attorney general, at the request of the
18 legislative auditor, shall also seek restitution from the responsible party of
19 those costs incurred by the legislative auditor to audit, investigate, or report
20 ~~on an allegations~~ of misappropriation, and all costs and reasonable attorney
21 fees incurred by the attorney general in the civil suit shall be recoverable
22 from the responsible party.

23
24 C. For the purposes of this Section:25
26 (1) ~~the~~ The terms "agency head" and "his agency" shall have the same
27 meanings as provided in R.S. 42:1102.28 (2) "Responsible party" means the person or entity actually responsible for
29 the reported misappropriation.30 (3) "Reasonable cause" shall include information obtained31 as a result of the filing of a police report, and internal audit finding, or other32 source indicating such a misappropriation of agency funds or assets has occurred."33 AMENDMENT NO. 434 On page 2, line 14 after "party." insert "Upon a finding of fraud, theft, or other
35 misappropriation, the" and delete "The"