

2015 Regular Session

HOUSE BILL NO. 286

BY REPRESENTATIVES PEARSON, STUART BISHOP, GEYMANN, HARRIS, HARRISON, HENSGENS, HAVARD, HUVAL, JAY MORRIS, RICHARD, SCHRODER, AND TALBOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AUDITS/AUDITING: Requires an internal auditing function in state departments

1 AN ACT

2 To enact R.S. 17:3023(B), 3138.5, and 3351(H), R.S. 24:553(D), and R.S. 36:8.2, relative
3 to internal auditing functions in state government; to require an internal auditing
4 function in the Board of Regents, the Louisiana Student Financial Assistance
5 Commission, postsecondary education management boards and certain state
6 departments; to provide for definitions; to provide for duties of the Legislative Audit
7 Advisory Council; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3023(B), 3138.5, and 3351(H) are hereby enacted to read as
10 follows:

11 §3023. Powers and duties

12 * * *

13 B. In addition to any other powers and duties authorized by this Section for
14 the Louisiana Student Financial Assistance Commission, the commission shall
15 establish an internal audit function and shall establish an office of the chief audit
16 executive who shall be responsible for ensuring that the internal audit function
17 adheres to the Institute of Internal Auditors, International Standards for the
18 Professional Practice of Internal Auditing. The chief audit executive shall maintain
19 organizational independence in accordance with these standards and shall have direct

1 (2) For the Department of Agriculture and Forestry, the commissioner of
2 agriculture and forestry.

3 (3) For the Department of Education, the state superintendent of education,
4 except as otherwise provided in Title 17 of the Louisiana Revised Statutes of 1950
5 relative to the internal audit function for the Louisiana Student Financial Assistance
6 Commission, the Board of Regents, and the postsecondary education management
7 boards and institutions and agencies under the authority of those agencies.

8 (4) For the Department of Insurance, the commissioner of insurance.

9 (5) For the Department of Justice, the attorney general.

10 (6) For the Department of Public Service, the Public Service Commission.

11 (7) For the Department of State, the secretary of state.

12 (8) For the Department of the Treasury, the state treasurer.

13 (9) For the Louisiana Workforce Commission, the executive director.

14 (10) For the office of the governor and all of the agencies transferred or
15 placed within the office of the governor, the commissioner of administration.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 286 Reengrossed

2015 Regular Session

Pearson

Abstract: Requires an internal audit function for postsecondary education and departments in the executive branch of state government with an appropriation of \$30 million or more.

Proposed law requires the Board of Regents, the La. Student Financial Assistance Commission, each postsecondary education management board, and the secretary, as defined in proposed law, of each department in the executive branch of state government with an appropriation of \$30 million or more to establish an internal audit function and to establish an office of the chief audit executive who shall be responsible for ensuring that the internal audit function adheres to the Institute of Internal Auditors, International Standards for the Professional Practice of Internal Auditing. Requires the chief audit executive to maintain organizational independence in accordance with these standards and to have direct and unrestricted access to the secretary (or to the appropriate entity specified in proposed law with regard to postsecondary education agencies and institutions). Requires the chief audit executive to annually certify to the secretary or other specified, appropriate entity that the internal audit function conforms to the Institute of Internal Auditors, International Standards for the Professional Practice of Internal Auditing.

Proposed law further requires the Legislative Audit Advisory Council to hold a hearing if the legislative auditor finds that a state agency required to have an internal audit function does not have an effective internal audit function, including that the agency is not adhering to the Institute of Internal Auditors, International Standards for the Professional Practice of Internal Auditing.

(Adds R.S. 17:3023(B), 3138.5, and 3351(H), R.S. 24:553(D), and R.S. 36:8.2)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Require the chief audit executive to maintain organizational independence in accordance with the specified internal audit standards and to have direct, unrestricted access to the specified agency head.
2. Require that the secretary rather than the undersecretary of the department establish an internal audit function, provide what "secretary" means in the case of specific departments, and remove the proposed deletion of a duty of the secretary of the Dept. of Environmental Quality relative to internal audits.
3. Require the Legislative Audit Advisory Council to hold a hearing if the legislative auditor finds that a state agency required to have an internal audit function does not have an effective internal audit function, including adherence to the specified standards.