

2016 Regular Session

HOUSE BILL NO. 684

BY REPRESENTATIVE STOKES

AUDITS/AUDITING: Provides relative to nonprofit entities and the nondisclosure of identifying information of a certain funding source

1 AN ACT

2 To amend and reenact R.S. 24:513(A)(3), relative to nonprofit entities; to provide for
3 nondisclosure of the identifying information of private donors of a not-for-profit
4 entity; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 24:513(A)(3) is hereby amended and reenacted to read as follows:

7 §513. Powers and duties of legislative auditor; audit reports as public records;
8 assistance and opinions of attorney general; frequency of audits; subpoena
9 power

10 A.

11 * * *

12 (3)(a) The financial statements of the offices of the independently elected
13 public local officials, including judges, sheriffs, clerks of court, assessors, and
14 district attorneys, all parish governing authorities, all political subdivisions created
15 by parish governing authorities or by law, and all districts, boards, and commissions
16 created by parish governing authorities either independently or in conjunction with
17 other units of government, school boards, district public defender offices,
18 municipalities, all political subdivisions created by municipal governing authorities,
19 and all boards and commissions created by municipalities, either independently or
20 in conjunction with other units of government, city courts, quasi-public agencies,

1 housing authorities, mortgage authorities, or other political subdivisions of the state
2 not included within the state's Comprehensive Annual Financial Reports, hereinafter
3 collectively referred to as "local auditee", shall be audited or reviewed by licensed
4 certified public accountants subject to Paragraphs (5) and (6) of this Subsection, but
5 may be audited by the legislative auditor pursuant to Paragraph (4) of this
6 Subsection. The total compensation, reimbursements, and benefits of an agency head
7 or political subdivision head or chief executive officer related to the position,
8 including but not limited to travel, housing, unvouchered expenses, per diem, and
9 registration fees shall be reported as a supplemental report within the financial
10 statement of the local auditee; however, nongovernmental entities or not-for-profit
11 entities that receive public funds shall report only the use of public funds for the
12 expenditures itemized in the supplemental report. Any person authorized to conduct
13 an audit of a governmental entity pursuant to R.S. 37:77, shall be permitted to
14 continue auditing that governmental entity subject to the approval of the legislative
15 auditor provided for in Paragraphs (5) and (6) of this Subsection.

16 (b) A not-for-profit entity that receives and reports funds from a private
17 source shall not be required to report the identity of the source.

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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 684 Original 2016 Regular Session Stokes

Abstract: Authorizes a not-for-profit entity to retain the identity of a private funding source.

Present law authorizes the legislative auditor to compile financial statements and to examine, audit, or review the books and accounts of certain state and local entities, including a quasi public agency or body. Further provides that a not-for-profit entity is a type of quasi public agency or body that may be subject to audit or review. Proposed law retains present law.

Proposed law provides that a not-for-profit entity, when reporting information to the legislative auditor as provided in present law, is not required to disclose the identity of a private donor.

(Amends R.S. 24:513(A)(3))