

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1453

That the Senate recede from its amendments as printed on page 1605 of the House Journal and page 1339 of the Senate Journal and that Engrossed House Bill No. 1453 be amended as follows:

Page 6, line 4, overstrike "Working" and insert immediately thereafter:

"1. Except as provided in this section, working"

Page 6, line 8, overstrike "A" and insert immediately thereafter:

"2. Except as provided in subsection 3, a"

Page 6, remove line 9

Page 6, line 10, remove "audits which is"

Page 6, line 12, remove "public information. Any other"

Page 6, remove lines 13 and 14

Page 6, line 15, replace "committee at which time the audit report becomes public information" with "an open record."

3. Except as provided in this subsection, a draft audit report for an audit completed in accordance with performance auditing standards contained in government auditing standards issued by the comptroller general of the United States to provide an independent assessment of the performance and management of a program released to the governing body or management of the audited entity is confidential until the final version of the audit report is an open record. After the auditor receives the audited entity's response to the draft report, the auditor shall complete the audit report, which is then deemed a preliminary audit report. The auditor shall provide the preliminary audit report and the audited entity's response to the legislative audit and fiscal review committee for a seven-day review period, except the auditor may not provide any information that is confidential under subsection 2 of section 54-10-25. During the review period, the preliminary audit report and the response may not be provided to any other person except by the legislative audit and fiscal review committee as necessary to perform the committee's duties as described in section 54-35-02.2. At the end of the review period, the preliminary audit report is deemed a final audit report, and the final audit report and the audited entity's response are open records. Reports for audits performed under subdivision f of subsection 1 of section 54-10-01 or subdivision a of subsection 2 of section 54-10-01 are not subject to this subsection"

Page 6, line 15, after the period insert:

"4."

Page 6, line 17, overstrike "public. At the discretion of the state auditor," and insert immediately thereafter "open records unless the state auditor declares"

Page 6, line 18, overstrike "of"

Page 6, line 18, remove "a publicly available"

Page 6, line 18, overstrike "audit report may be declared"

Renumber accordingly