

By: Madla

S.B. No. 1436

A BILL TO BE ENTITLED

AN ACT

relating to audits of and financial statements for emergency services districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 775.082, Health and Safety Code, is amended to read as follows:

Sec. 775.082. AUDIT OF DISTRICT [~~LOCATED WHOLLY IN ONE COUNTY~~].

SECTION 2. Sections 775.082(a), (b), (e), and (f), Health and Safety Code, are amended to read as follows:

(a) The [~~In a district located wholly in one county, the~~] county auditor of a county that contains any part of the district shall have access to the books, records, officials, and assets of the district.

(b) Except as provided by Section 775.0825, a [A] district [~~located wholly in one county~~] shall prepare and file with the commissioners court of each [~~the~~] county that contains any part of the district on or before June 1 of each year an audit report of the district's fiscal accounts and records. The audit shall be performed and the report shall be prepared at the expense of the district. The county auditor, with the approval of the commissioners court, shall adopt rules relating to the format of the audit and report. If a district is located in more than one county, the county auditors, with the approval of the commissioners

1 court of each county in which the district is located, shall adopt
2 uniform rules relating to the format of the audit and report.

3 (e) If the district fails to complete and file the audit
4 report within the time provided by Subsection (b) or (d), the
5 commissioners court may order the county auditor to perform the
6 audit and issue the report. If a district is located in more than
7 one county, the commissioners court of each county in which the
8 district is located shall designate by joint order a county auditor
9 of one of the counties to perform the audit and issue the report.

10 (f) The district shall pay all costs incurred by the county
11 auditor to perform an audit and issue the report required by this
12 section, unless otherwise ordered by the commissioners court or by
13 joint order of the commissioners courts, if the district is located
14 in more than one county.

15 SECTION 3. Subchapter E, Chapter 775, Health and Safety
16 Code, is amended by adding Section 775.0825 to read as follows:

17 Sec. 775.0825. AUDIT OF DISTRICT; EXCEPTION. (a) Section
18 775.082 does not apply to a district that imposed during the fiscal
19 year taxes of \$250,000 or less.

20 (b) Not later than the 90th day after the date on which the
21 fiscal year ends, a district to which this section applies may file
22 with the commissioners court of each county in which the district is
23 located a compiled financial statement of the district's fiscal
24 accounts and records. If the district files a financial statement
25 under this section, the financial statement must be prepared by an
26 independent certified public accountant or firm of certified public
27 accountants licensed in this state.

1 (c) The district shall pay for any compiled financial
2 statement prepared under this section.

3 SECTION 4. This Act takes effect September 1, 2005.