

BILL ANALYSIS

C.S.H.B. 3764
By: Coleman
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties assert that it would be beneficial to certain emergency services districts if they were allowed to file compiled financial statements with the commissioners court of each county in which the district is located in lieu of filing an annual audit report. C.S.H.B. 3764 seeks to address this need.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3764 amends the Health and Safety Code to authorize an emergency services district that is not located wholly in a county with a population of more than three million to file compiled financial statements with the commissioners court of each county in which any part of the district is located instead of filing a required annual audit report, if the district did not have any outstanding bonds or any outstanding liabilities having a term of more than one year during the previous fiscal year, did not receive more than a total of \$250,000 in gross receipts from operations, loans, taxes, or contributions during the previous fiscal year, and did not have a total of more than \$250,000 in cash and temporary investments during the previous fiscal year. The bill requires the district to file with the compiled financial statements an affidavit signed by an authorized district representative attesting to the accuracy and authenticity of the statements. The bill makes statutory provisions relating to deadlines for filing an audit and the procedures and penalties regarding the failure of a district to file an audit applicable to the filing of compiled financial statements under the bill's provisions.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3764 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter E, Chapter 775, Health and Safety Code, is amended by adding Section 775.0821 to read as follows:
Sec. 775.0821. ALTERNATIVE TO

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter E, Chapter 775, Health and Safety Code, is amended by adding Section 775.0821 to read as follows:
Sec. 775.0821. ALTERNATIVE TO

83R 24294

13.112.256

Substitute Document Number: 83R 19937

AUDIT OF DISTRICT IN LESS POPULOUS COUNTIES. (a) This section applies only to a district to which Section 775.082 applies that:

(1) did not have any outstanding bonds or any outstanding liabilities having a term of more than one year during the previous fiscal year;

(2) did not receive more than a total of \$250,000 in gross receipts from operations, loans, taxes, or contributions during the previous fiscal year; and

(3) did not have a total of more than \$250,000 in cash and temporary investments during the previous fiscal year.

(b) Instead of filing an audit report under Section 775.082, a district to which this section applies may submit an annual financial report to the commissioners court of each county in which any part of the district is located.

(c) The district must submit with the financial report an affidavit signed by an authorized district representative attesting to the accuracy and authenticity of the report.

(d) The county auditor, with the approval of the commissioners court, shall adopt rules relating to the format of the financial report and affidavit. If a district is located in more than one county, the county auditors, with the approval of the commissioners court of each county in which the district is located, shall adopt uniform rules relating to the format of the financial report and affidavit.

(e) The provisions of Section 775.082 relating to deadlines for filing an audit and the procedures and penalties relating to the failure of a district to file an audit apply to the filing of a financial statement under this section.

SECTION 2. This Act takes effect September 1, 2013.

AUDIT OF DISTRICT IN LESS POPULOUS COUNTIES. (a) This section applies only to a district to which Section 775.082 applies that:

(1) did not have any outstanding bonds or any outstanding liabilities having a term of more than one year during the previous fiscal year;

(2) did not receive more than a total of \$250,000 in gross receipts from operations, loans, taxes, or contributions during the previous fiscal year; and

(3) did not have a total of more than \$250,000 in cash and temporary investments during the previous fiscal year.

(b) Instead of filing an audit report under Section 775.082, a district to which this section applies may file compiled financial statements with the commissioners court of each county in which any part of the district is located.

(c) The district must file with the compiled financial statements an affidavit signed by an authorized district representative attesting to the accuracy and authenticity of the statements.

No equivalent provision.

(d) The provisions of Section 775.082 relating to deadlines for filing an audit and the procedures and penalties relating to the failure of a district to file an audit apply to the filing of compiled financial statements under this section.

SECTION 2. Same as introduced version.