

SENATE AMENDMENTS

2nd Printing

By: Flynn, Alvarado, Perry, Larson,
Martinez Fischer, et al.

H.B. No. 16

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a requirement that a state agency post its internal
3 auditor's audit plan and audit report and other audit information
4 on the agency's Internet website.

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

6 SECTION 1. Chapter 2102, Government Code, is amended by
7 adding Section 2102.015 to read as follows:

8 Sec. 2102.015. PUBLICATION OF AUDIT PLAN AND ANNUAL REPORT
9 ON INTERNET. (a) Notwithstanding Section 2102.003, in this
10 section, "state agency" means a board, commission, department,
11 institute, office, or other agency in the executive branch of state
12 government that is created by the constitution or a statute of this
13 state, including an institution of higher education as defined by
14 Section 61.003, Education Code.

15 (b) Subject to Subsection (c), at the time and in the manner
16 provided by the state auditor, a state agency shall post on the
17 agency's Internet website:

18 (1) the agency's internal audit plan approved as
19 provided by Section 2102.008; and

20 (2) the agency's annual report required under Section
21 2102.009.

22 (c) A state agency is not required to post information
23 contained in the agency's internal audit plan or annual report if
24 the information is confidential or excepted from public disclosure

1 under Section 418.177, 418.179, 418.181, 418.182, 552.108,
2 552.116, 552.125, 552.139, or 552.152.

3 (d) A state agency shall update the posting required under
4 this section at the time and in the manner provided by the state
5 auditor to include a detailed summary of the weaknesses,
6 deficiencies, wrongdoings, or other concerns, if any, raised by the
7 audit plan or annual report.

8 (e) A state agency shall update the posting required under
9 this section to include a summary of the action taken by the agency
10 to address the concerns, if any, that are raised by the audit plan
11 or annual report.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2013.

ADOPTED

MAY 22 2013

Greg Searcy
Speaker of the House

Rodney Ellis

By: _____

H.B. No. 16

Substitute the following for H.B. No. 16:

Jane Nelson

By: _____

C.S. H.B. No. 16

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14 Section 61.003, Education Code.

15 (b) Subject to Subsection (c), at the time and in the manner
16 provided by the state auditor, a state agency shall post on the
17 agency's Internet website:

18 (1) the agency's internal audit plan approved as
19 provided by Section 2102.008; and

20 (2) the agency's annual report required under Section
21 2102.009.

22 (c) A state agency is not required to post information
23 contained in the agency's internal audit plan or annual report if
24 the information is excepted from public disclosure under Chapter

1 552.

2 (d) A state agency shall update the posting required under
3 this section at the time and in the manner provided by the state
4 auditor to include a detailed summary of the weaknesses,
5 deficiencies, wrongdoings, or other concerns, if any, raised by the
6 audit plan or annual report.

7 (e) A state agency shall update the posting required under
8 this section to include a summary of the action taken by the agency
9 to address the concerns, if any, that are raised by the audit plan
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11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2013.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 23, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB16 by Flynn (Relating to a requirement that a state agency post its internal auditor's audit plan and audit report and other audit information on the agency's Internet website.),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code, Chapter 2102 to require that state agencies post internal agency audit plans, annual reports, and any resulting concerns or weaknesses resulting from the plans or reports on agency websites, subject to requirements set by the State Auditor. Agencies would also be required to post any actions taken to addresses issues raised by an audit plan or annual report.

The bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, it takes effect September 1, 2013.

Multiple agencies including the Office of the Attorney General, the Cancer Prevention and Research Institute, the Health and Human Services Commission, the Texas Education Agency, the Texas Department of Criminal Justice, the Texas Department of Insurance, the Texas Department of Transportation, and the State Auditor's Office anticipate any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 308 State Auditor's Office, 454 Department of Insurance, 529 Health and Human Services Commission, 542 Cancer Prevention and Research Institute of Texas, 601 Department of Transportation, 696 Department of Criminal Justice, 701 Central Education Agency

LBB Staff: UP, SD, KKR, JI, JJO, KJo, TG, JN, MW, EMo, ES, ER

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 17, 2013

TO: Honorable Rodney Ellis, Chair, Senate Committee on Open Government

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB16** by Flynn (relating to a requirement that a state agency post its internal auditor 's audit plan and audit report and other audit information on the agency 's Internet website.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

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Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

TO: Honorable Rodney Ellis, Chair, Senate Committee on Open Government

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB16 by Flynn (Relating to a requirement that a state agency post its internal auditor's audit plan and audit report and other audit information on the agency's Internet website.),
As Engrossed

No significant fiscal implication to the State is anticipated.

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 28, 2013

TO: Honorable Carol Alvarado, Chair, House Committee on Transparency in State Agency Operations, Select

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB16 by Flynn (Relating to a requirement that a state agency post the results of certain audits on the state agency's Internet website.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code, Chapter 2102 to require that state agencies post the result of internal agency audits and risk assessment on agency websites.

The bill takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, it takes effect September 1, 2013.

Multiple agencies including the Office of the Attorney General, the Cancer Prevention and Research Institute, the Health and Human Services Commission, the Texas Education Agency, the Texas Department of Criminal Justice, the Texas Department of Insurance, the Texas Department of Transportation, and the State Auditor's Office anticipate any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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