

1 *SENATE* BILL NO. 98
2 INTRODUCED BY Jergeson
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A
5 COUNTY, CITY, OR TOWN ATTORNEY SHALL REPORT TO THE
6 DEPARTMENT OF COMMERCE ON ACTIONS TO BE TAKEN FOLLOWING
7 COMPLETION OF A LOCAL GOVERNMENT AUDIT WHEN REQUESTED TO DO
8 SO BY THE DEPARTMENT OF COMMERCE; AND AMENDING SECTION
9 2-7-515, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 2-7-515, MCA, is amended to read:

13 "2-7-515. Actions by governing bodies. (1) Upon receipt
14 of the audit report, the governing bodies of each audited
15 entity shall review the contents and within 30 days shall
16 notify the department in writing as to what action they plan
17 to take on any deficiencies or recommendations contained in
18 the audit report. If no deficiencies or recommendations
19 appear in the audit report, notification shall not be
20 required.

21 (2) Notification to the department shall include a
22 statement by the governing bodies that noted deficiencies or
23 recommendations for improvement have been acted upon by
24 adoption as recommended, adoption with modification, or
25 rejection.

1 (3) In cases where a violation of law or nonperformance
2 of duty is found on the part of an officer, employee, or
3 board, the officer, employee, or board must be proceeded
4 against by the attorney general or county, city, or town
5 attorney as provided by law. The If a written request to do
6 so is received from the department, the county, city, or
7 town attorney shall report to the department within 30 days
8 after receiving the audit-report-from-the-department request
9 the proceedings instituted or to be instituted relating to
10 the violations of law and nonperformance of duty. If the
11 county, city, or town attorney fails or refuses to prosecute
12 the case, the department may employ an attorney to prosecute
13 the case at the expense of the respective governmental
14 entity."

-End-

INTRODUCED BILL
SB 98

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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SECOND READING

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-End-

REFERENCE BILL

