

SENATE FILE NO. SF0003

Legislative program evaluations.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to legislative audits; authorizing the
2 disclosure of information relating to legislative audits
3 under specified conditions; providing for the reporting of
4 apparent criminal violations; and providing for an
5 effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 28-8-107(d) and 28-8-108 are amended
10 to read:

11

12 **28-8-107. Auditing of state agencies; management**
13 **audit committee; factors to be considered in audit reports.**

14

15 (d) The contents of the audit report, its findings
16 and documentation are confidential and shall not be
17 disclosed by any member of the management audit committee

1 or employee of the legislative service office or agency
2 being audited until the completed audit report is released,
3 but the committee may discuss the contents of the audit
4 report with the governor before release of the final
5 report. The chairman of the management audit committee and
6 the director may disclose and discuss any report made
7 pursuant to W.S. 28-8-108(c) with the governor regardless
8 of the status of the audit report.

9
10 **28-8-108. Comments, recommendations and suggestions**
11 **in audit reports; disclosure of confidential information;**
12 **unauthorized reports or releases; reporting criminal**
13 **violations.**

14
15 (a) The reports of the legislative service office may
16 include comments, recommendations and suggestions, but
17 neither the director nor the auditors shall have any
18 authority to enforce them nor shall they otherwise
19 influence or direct executive or legislative action. All
20 information obtained by the legislative service office
21 related to an audit is deemed not to be a public record and
22 shall remain confidential information in the possession of
23 the legislative service office. Except as otherwise
24 provided in this section or W.S. 28-8-107(d), this

1 information may be disclosed by the legislative service
2 office only to members of the legislative committee for
3 which the information was obtained, only to the extent
4 necessary to document a statement or report, and only in
5 such a manner as to protect individual identities.

6
7 (b) Any member of the legislative service office who
8 knowingly discloses confidential information other than as
9 authorized by ~~subsection (a) of~~ this section, discloses the
10 contents of audit reports prohibited by W.S. 28-8-107 or
11 releases other reports or information not authorized by the
12 management council, the management audit committee or by
13 statute is subject to immediate termination of employment.

14
15 (c) If information obtained by the legislative
16 service office related to an audit discloses an indication
17 of a violation of any criminal law of this state the
18 information shall be reported by the legislative service
19 office employee discovering the apparent violation to the
20 director who shall report the apparent violation to the
21 chairman of the management audit committee and thereafter
22 or concurrently therewith, to the attorney general. Any
23 report under this subsection may be made with such
24 supporting information from the audit as determined to be

1 necessary or convenient. Upon request of the attorney
2 general in investigating any apparent violation reported
3 pursuant to this subsection, the legislative service office
4 shall make available to the attorney general any
5 information requested which was obtained during the audit,
6 regardless of the status of the audit report.

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8 (d) The legislative service office shall release
9 information obtained in conducting an audit in response to
10 a court subpoena in a criminal proceeding.

11

12 **Section 2.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17

(END)