

1 HB350  
2 205700-1  
3 By Representative Garrett  
4 RFD: State Government  
5 First Read: 27-FEB-20

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8 SYNOPSIS: This bill would authorize the Comptroller,  
9 with the approval of the Director of Finance, to  
10 issue payment to a vendor when the payment is  
11 certified as valid but barred by the passage of  
12 time.

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14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
18 To amend Section 41-4-50, Code of Alabama 1975,  
19 relating to the Comptroller issuing payments to vendors that  
20 are certified as valid, but barred by the passage of time.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Section 41-4-50, Code of Alabama 1975, is  
23 amended to read as follows:

24 "§41-4-50.

25 There shall be in the Department of Finance the  
26 division of control and accounts. The functions and duties of  
27 the division of control and accounts shall be as follows:

1           (1) To keep all books, records and accounts relating  
2 to the finances of the state government (including the budget  
3 accounts) which are authorized or required to be kept by the  
4 Department of Finance, in accordance with recognized standards  
5 of public accounting and in such a manner as at all times to  
6 reveal the true financial status of the state government and  
7 of each special fund and account in the State Treasury.

8           (2)a. To control and make records of all payments  
9 into and out of the State Treasury and each special fund and  
10 account therein.

11                   b. When the comptroller finds that, in a prior  
12 fiscal year, the state has failed to give a vendor payment to  
13 which they are entitled and the state or any department,  
14 divisions, bureau, commission, board or other agency thereof,  
15 agrees that the payment is due, the Comptroller, with the  
16 approval of the Director of Finance, shall draw a warrant on  
17 the Treasurer for the amount thereof in favor of such vendor.

18           (3) To audit currently all receipts and receivables.

19           (4) To preaudit and determine the correctness and  
20 legality of every claim and account submitted for the issuance  
21 of a warrant and to determine that funds have been  
22 appropriated and allotted and are then available in the State  
23 Treasury for the payment of such claim or account before any  
24 warrant on the State Treasury shall be issued; except, that  
25 the preaudit of claims for unemployment compensation or public  
26 assistance or child welfare or income tax refunds shall be  
27 performed by the department or departments having charge of

1 the other functions and duties relating to unemployment  
2 compensation, or public assistance, or child welfare, or  
3 income tax refunds subject to the general supervision of the  
4 division of control and accounts.

5 (5)a. To draw every warrant authorized to be drawn  
6 upon the State Treasury and any fund therein, whether a  
7 special or earmarked fund or not.

8 b. Any law to the contrary notwithstanding, any or  
9 all warrants issued by the division of control and accounts  
10 may be transferred or deposited electronically or by other  
11 acceptable methods to any financial institution capable of  
12 handling direct deposits by electronic transfer or other  
13 acceptable methods if written approval is given by the  
14 original payee of said warrant. The state Comptroller shall  
15 maintain files on all written approvals given by original  
16 payees and separate records on all transfers of funds  
17 authorized in this subsection and shall furnish sufficient  
18 documentation for the purpose of auditing and reconciling such  
19 electronic financial transactions.

20 (6) To secure such information and data, to prepare  
21 or make such studies and reports and to perform such other  
22 functions and duties of the Department of Finance as may from  
23 time to time be assigned by the Director of Finance.

24 Section 2. This act shall become effective  
25 immediately following its passage and approval by the  
26 Governor, or its otherwise becoming law.