

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1100

Introduced by

Judiciary Committee

(At the request of the State Auditor)

1 A BILL for an Act to amend and reenact sections 54-10-21, 54-11-04, and 54-27-08 of the
2 North Dakota Century Code, relating to the duties of the state auditor.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-10-21 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-10-21. Duty of state auditor on failures by officers.** The state auditor ~~shall~~ may
7 report to the attorney general the refusal or neglect of any state ~~or county~~ officer to obey the
8 state auditor's ~~instructions, and recommendations.~~ After investigation, the attorney general
9 ~~promptly shall~~ may take appropriate action to enforce compliance therewith.

10 **SECTION 2. AMENDMENT.** Section 54-11-04 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **54-11-04. Records of state treasurer.** The state treasurer shall keep the following
13 records:

- 14 1. A cash book in which must be entered the amount of all moneys received or paid
15 out, showing from whom received or to whom paid and on what account or fund.
- 16 2. A ledger in which must be kept an account with each fund.
- 17 3. A daily balance book in which must be shown the amount in state depositories and
18 the amount in cash on hand.
- 19 4. ~~Such other books as the state auditor shall prescribe.~~

20 These records must be disposed of in accordance with the procedures established pursuant to
21 chapter 54-46.

22 **SECTION 3. AMENDMENT.** Section 54-27-08 of the North Dakota Century Code is
23 amended and reenacted as follows:

1 **54-27-08. How moneys paid from state treasury - Warrants - When not necessary.**
2 Except as otherwise provided, moneys may be paid from the state treasury only upon the
3 warrant or order prepared by the office of management and budget drawn on the state
4 treasurer. The ~~state auditor~~ director of the office of management and budget shall recommend
5 a form for order and warrant-check of the state government which must conform, so far as
6 consistent with statutory requirements, to approved banking practice to facilitate handling of
7 such instruments by banks and other depositories. When an order and warrant-check is signed
8 by the state auditor, the state treasurer shall accept the order or warrant with the treasurer's
9 signature, making the order and warrant-check negotiable. No warrant upon the treasurer may
10 be delivered or mailed to the payee or the payee's agent or representative until the warrant has
11 been signed by the treasurer and entered on the treasurer's books as a check drawn on a bank
12 depository. A record must be maintained specifying upon what fund or from what
13 apportionment each warrant is to be paid. The state treasurer may redeem outstanding bonds
14 or pay interest on bonds when due without the warrant of the office of management and
15 budget, retaining the bond or interest coupon as a voucher for the payment until the next
16 settlement. With respect to electronic records and electronic signatures, the state treasurer
17 shall utilize the services provided by the information technology department.