23.0467.01000

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1226

Introduced by

Representatives Kempenich, Pyle

Senators Rummel, Schaible

A BILL for an Act to amend and reenact section 15-10-44.3 of the North Dakota Century Code, relating to working papers of higher education internal auditors and compliance officers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-10-44.3 of the North Dakota Century Code is amended and reenacted as follows:

15-10-44.3. Internal ~~auditors'~~auditor and compliance officer working papers.

1. For purposes of this section~~, "higher~~:
   a. "Compliance officer" means the compliance officer of the North Dakota university system.
   b. "Higher education internal auditor" means an internal auditor of the North Dakota university system and the institutions under the control of the state board of higher education.
2. Working papers of a higher education internal auditor or compliance officer are not public records and are exempt from section 44-04-18. Working papers include records kept by a higher education internal auditor or compliance officer of the procedures applied, the tests performed, the information obtained, draft audit and compliance reports, and the pertinent conclusions reached in the ~~audit~~ engagement.
3. At the discretion of a higher education internal auditor or compliance officer, working papers ~~of a higher education internal auditor~~ may be made available for inspection. A draft audit or compliance report released to the governing body or management of the audited entity is confidential until the final ~~audit~~ report is issued or work ceases on the ~~audit~~engagement. The issued audit or compliance report is public information. The working papers of an issued audit or compliance report are public except for any information designated as confidential or exempt from disclosure by state or federal

law. At the discretion of a higher education internal auditor or compliance officer, all or a portion of the working papers ~~of the higher education internal auditor~~ of an issued audit or compliance report may be declared confidential. The declaration of confidentiality must state the reason for the confidentiality and the date, as reasonably may be determined at the time, when the working papers will be made public.