

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-2511 of the Code of Virginia, relating to annual local audit; notice*
3 *of delay.*

4 [H 1866]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 15.2-2511 of the Code of Virginia is amended and reenacted as follows:**8 **§ 15.2-2511. Audit of local government records, etc.; Auditor of Public Accounts; audit of**
9 **shortages.**

10 A. Localities shall have all their accounts and records, including all accounts and records of their
11 constitutional officers, audited annually as of June 30 by an independent certified public accountant in
12 accordance with the specifications furnished by the Auditor of Public Accounts. The certified public
13 accountant shall present a detailed written report to the local governing body at a public session by the
14 following December 31. Every locality shall contract for the performance of the annual audit not later
15 than April 1 of each fiscal year, and such contract shall incorporate the provisions of this section
16 relating to audit specifications and report date. The report shall be (i) *submitted to the Auditor of Public*
17 *Accounts, (ii) preserved by the clerk of the local governing body, and shall be (iii) open to public*
18 *inspection at all times by any qualified voter. If the audit is not completed as required by this section,*
19 *the locality shall promptly post a statement on its website, if such website exists, declaring that the*
20 *required audit is pending, the reasons for the delay, and the estimated date of completion. Such*
21 *statement shall also be posted and made available to the public at the next scheduled meeting of the*
22 *local governing body and also be sent to the Auditor of Public Accounts. The statement shall continue*
23 *to be posted and updated until the audit is complete.*

24 The accounts and records of any county or city officer listed in Article VII, Section 4 of the
25 Constitution of Virginia, hereinafter referred to as "constitutional officers," shall be subject to the
26 provisions of this section.

27 When the annual audit conducted pursuant to this subsection includes the clerk of the circuit court,
28 the audit shall satisfy the requirement of an audit pursuant to § 30-134.

29 In the event *that* a locality fails to obtain the annual audit prescribed by this subsection, the Auditor
30 of Public Accounts may undertake the audit or may employ the services of certified public accountants
31 and charge the full cost of such services to the locality. However, no part of the cost and expense of
32 such audit shall be paid by any locality whose governing body has its accounts audited for the fiscal
33 years in question as prescribed above and furnishes the Auditor of Public Accounts with a copy of such
34 audit.

35 B. Except where otherwise authorized by statute, the Auditor of Public Accounts shall audit the
36 accounts of local governments and constitutional officers only when (i) special circumstances require an
37 audit; or (ii) there is suspected fraud or inappropriate handling of funds ~~which~~ *that* may affect the
38 financial interests of the Commonwealth. However, the Auditor of Public Accounts shall also audit the
39 accounts of a local government at any other time upon a majority vote of the local governing body, with
40 all expenses of the audit to be borne by the requesting locality. In all instances, such audits shall be
41 carried out with the approval of the Joint Legislative Audit and Review Commission.

42 Any shortage existing in the accounts of the locality or constitutional officer, as ascertained by the
43 audit, shall be made public within 30 days after the shortage is discovered, and a brief statement thereof
44 shall be sent by the Auditor of Public Accounts to the members and clerk of the local governing body
45 and to the circuit court for the locality; and shall be filed in the clerk's office of such court.

46 C. The provisions of this section shall apply to all counties and cities, to all towns having a
47 population of 3,500 or over, and to all towns constituting a separate school division regardless of their
48 population. *However, any town with a population of less than 3,500 that voluntarily has an audit*
49 *prepared shall also submit the results of such audit to the Auditor of Public Accounts.*

ENROLLED

HB1866ER