

SENATE BILL NO. 284
INTRODUCED BY M. WHEAT

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A BOARD OF COUNTY COMMISSIONERS, UPON A MAJORITY VOTE, TO ORDER PAYMENT OF A CLAIM DISAPPROVED BY A COUNTY AUDITOR; PROVIDING FOR AN APPEAL TO DISTRICT COURT WITHIN 7 WORKING DAYS IF A BOARD OF COUNTY COMMISSIONERS ORDERS PAYMENT OF A DISAPPROVED CLAIM; AMENDING SECTION 7-6-2407, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-6-2407, MCA, is amended to read:

"7-6-2407. Auditing Examination and investigation of claims. (1) It ~~shall be~~ is the duty of persons holding claims against any county having a county auditor to present the ~~same claims~~ to the county auditor, whose duty it who shall be to audit the same. The county auditor shall also investigate and examine all claims presented ~~to him and~~ The county auditor shall report the ~~same claims~~ with his a finding to the board of county commissioners at ~~their its~~ regular session meeting after ~~such the~~ the investigation ~~shall have been is~~ is completed, ~~with his approval or disapproval endorsed thereon.~~ The county auditor shall either approve or disapprove payment of the claim and ~~he shall~~ keep a complete record of all ~~such~~ claims and ~~of his~~ investigations and examinations of the same claims in a book kept for that purpose.

(2) In all counties having a county auditor:

(a) all bills, claims, accounts, or charges for materials of any kind or nature that may be purchased by and on behalf of the county by any of the county officers or contracted for by the county commissioners ~~shall must~~ be investigated, examined, and inspected by the county auditor, who shall endorse his approval or disapproval thereon approve or disapprove payment of the claims before any warrant for the payment of the ~~same can~~ claims may be drawn;

(b) ~~no a~~ a claim against the county ~~shall may not~~ may not be paid or a warrant drawn ~~therefor~~ for the claim unless the ~~same shall have~~ claim has the approval of the county auditor; ~~provided, however, that the judge of the district court of the county where any.~~ If a claim has been disapproved by the county auditor, the board of county commissioners may order the payment of the same claim by a majority vote at a regular board meeting. If a majority of the board orders payment of the disapproved claim, the county auditor may appeal the decision to the

district court within 7 working days. If the board's decision is not appealed within the required 7-day period, the claim must be paid."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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