

~~BY adding to~~

~~Article — State Government~~

~~Section 2-1225~~

~~Annotated Code of Maryland~~

~~(1999 Replacement Volume and 2003 Supplement)~~

BY repealing and reenacting, with amendments,

Article – State Government

Section ~~2-1225 and~~ 2-1226

Annotated Code of Maryland

(1999 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

~~§~~2-1225.

(a) (1) In addition to the report under § 2-1224 of this subtitle, the Legislative Auditor shall report an apparent violation of any law on use of State funds by the unit of the State government or other body that is audited or reviewed.

(2) A report under this subsection shall be submitted to:

- (i) the Joint Audit Committee;
- (ii) the Executive Director;
- (iii) the unit or body that is the subject of the report; and
- (iv) the Office of the Attorney General.

(b) (1) ~~The Legislative Auditor shall report to the Attorney General and an appropriate State's Attorney an apparent default to the State for any money by an officer or employee who is subject to audit or review~~ IF THE LEGISLATIVE AUDITOR DISCOVERS ANY ALLEGED CRIMINAL VIOLATION BY A PERSON DURING THE COURSE OF AN AUDIT, REVIEW, OR INVESTIGATION, THE LEGISLATIVE AUDITOR SHALL REPORT THE ALLEGED VIOLATION TO THE ATTORNEY GENERAL AND AN APPROPRIATE STATE'S ATTORNEY.

(2) A report under this subsection shall ask the Attorney General and State's Attorney to take appropriate action.

(3) UNLESS THE ATTORNEY GENERAL OR STATE'S ATTORNEY DECIDES TO PROSECUTE AN ALLEGED CRIMINAL VIOLATION REPORTED UNDER THIS SUBSECTION, THE ATTORNEY GENERAL AND STATE'S ATTORNEY SHALL KEEP THE REPORT OF THE LEGISLATIVE AUDITOR UNDER THIS SUBSECTION CONFIDENTIAL.

(4) THE ATTORNEY GENERAL MAY INVESTIGATE AND PROSECUTE ANY ALLEGED CRIMINAL VIOLATION REPORTED UNDER THIS SUBSECTION AND HAS ALL