

Mississippi Secretary of State
125 S. Congress Street, Jackson, MS 39201

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Office of the State Auditor		CONTACT PERSON Tom Chain	TELEPHONE NUMBER 601-576-2800	
ADDRESS 501 N. West St. #801		CITY Jackson	STATE MS	ZIP 39201
EMAIL tom.chain@osa.ms.gov	SUBMIT DATE 10/20/22	Name or number of rule(s): Title 4, Part 9: Circular 17 - New Rules		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: See attachment

Specific legal authority authorizing the promulgation of rule: Miss. Code Ann. 7-7-211 & 21-35-31

List all rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic Impact statement not required for this rule. ☐ Concise summary of economic Impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: ☒ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: ☒ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Tom Chain

Signature of person authorized to file rules: *Tom Chain*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by		Accepted for filing by
	Accepted for filing by <i>20618 Pom</i>	

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Dear Mr. Secretary,

The Office of the State Auditor issues a Mississippi Municipal Audit and Accounting Guide (The Guide) manual. This Guide provides nearly 300 municipalities with accounting and audit guidance. This guidance includes information required by the Governmental Accounting Standards Board (GASB) and the Mississippi Code. The Guide included in administrative procedures was dated 2010. Since issuing that guide, GASB has published nearly 50 pronouncements and regularly issues new guidance. Many of the pronouncements superseded the guidance in the old guide. In addition to the more recent accounting pronouncements, the 140-page manual references vast amounts of the Mississippi Code, which may change annually. Given the need to frequently update The Guide, our office is requesting to remove the old guide from administrative procedures and replace it with a circular that references users to the Office of State Auditor website. This will allow a more fluid process to ensure The Guide remains current.

The specific legal authority granting the Mississippi's Office of State Auditor the power to promulgate this rule is found in Miss. Code Ann. §7-7-211.

The department shall have the power and it shall be its duty:

- (a) To identify and define for all public offices of the state and its subdivisions generally accepted accounting principles or other accounting principles as promulgated by nationally recognized professional organizations and to consult with the State Fiscal Officer in the prescription and implementation of accounting rules and regulations;
- (b) To provide best practices, for all public offices of regional and local subdivisions of the state, systems of accounting, budgeting and reporting financial facts relating to said offices in conformity with legal requirements and with generally accepted accounting principles or other accounting principles as promulgated by nationally recognized professional organizations; to assist such subdivisions in need of assistance in the installation of such systems; to revise such systems when deemed necessary, and to report to the Legislature at periodic times the extent to which each office is maintaining such systems, along with such recommendations to the Legislature for improvement as seem desirable;
- (c) To study and analyze existing managerial policies, methods, procedures, duties and services of the various state departments and institutions upon written request of the Governor, the Legislature or any committee or other body empowered by the Legislature to make such request to determine whether and where operations can be eliminated, combined, simplified and improved;

REPEAL rule entitled, "Municipal Audit and Accounting Guide" in its entirety.