

2019 Regular Session

HOUSE BILL NO. 118

BY REPRESENTATIVE BERTHELOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LOCAL FINANCE/BUDGET ACT: Provides relative to powers granted to certain municipalities pursuant to the Local Government Budget Act

1 AN ACT

2 To amend and reenact R.S. 39:1305(F), relative to budget adoption procedures in certain  
3 municipalities; to provide relative to the powers granted to the governing authorities  
4 of certain municipalities to amend a proposed budget; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:1305(F) is hereby amended and reenacted to read as follows:

8 §1305. Budget preparation

9 \* \* \*

10 F.(1) ~~Except in a municipality governed by R.S. 33:321 et seq.,~~ Except as  
11 provided in Paragraph (2) of this Subsection, the proposed budget and the attendant  
12 budget adoption instrument may be amended to the extent deemed appropriate by the  
13 governing authority at any point prior to final adoption, unless otherwise provided  
14 in an ordinance or home rule charter of the political subdivision.

15 (2) The authorization granted to political subdivisions to amend the proposed  
16 budget and attendant budget adoption instrument in the manner provided for in  
17 Paragraph (1) of this Subsection is not applicable to municipalities governed by the  
18 provisions of R.S. 33:321 et seq. The governing authority of any such municipality  
19 may amend the proposed budget and attendant budget adoption instrument only to

1        the extent that the amendments do not substantially change the proposed budget or  
2        the attendant budget adoption instrument.

3        Section 2. This Act shall become effective upon signature by the governor or, if not  
4 signed by the governor, upon expiration of the time for bills to become law without signature  
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 118 Original

2019 Regular Session

Berthelot

**Abstract:** Clarifies that present law authorizing a local governing authority to amend an annual budget proposed by the chief executive or administrative officer does not apply to Lawrason Act municipalities.

Present law establishes a process for local governments to use in the preparation and adoption of an annual budget. Requires the chief executive or administrative officer of the local government to prepare a proposed budget and submit it to the governing authority. Authorizes the governing authority to amend the proposed budget and associated budget instrument unless otherwise provided by an ordinance or home rule charter. Provides that present law does not apply to municipalities governed by the mayor-board of aldermen form of government (the Lawrason Act).

Proposed law retains present law but specifies that municipalities governed by the Lawrason Act may amend the proposed budget and associated budget instrument only to the extent the amendments do not substantially change the documents.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:1305(F))