

SENATE BILL NO. 207

BY SENATOR COLOMB

1 AN ACT

2 To amend and reenact R.S. 39:1303(C), 1309(A) and (C), and to enact R.S. 39:1302(4) and
3 (5), 1305(F), and 1310(C), relative to the Louisiana Local Government Budget Act;
4 to provide definitions; to provide for retroactivity; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:1303(C), 1309(A) and (C) are hereby amended and reenacted and
7 R.S. 39:1302(4) and (5), 1305(F), and 1310(C) are hereby enacted to read as follows:

8 §1302. Definitions

9 For the purposes of this Chapter:

10 * * *

11 **(4) "Proposed budget" means the budget prepared and submitted to the**
12 **governing authority of the political subdivision by the chief executive or**
13 **administrative officer.**

14 **(5) "Adopted budget" means the budget adopted by the governing**
15 **authority of the political subdivision inclusive of any and all amendments**
16 **adopted by the governing authority to the proposed budget.**

17 §1303. Legislative intent

18 * * *

19 C. It is the intent of the legislature that this Chapter shall apply to political
20 subdivisions operating under a home rule charter or plan of government adopted or
21 in existence pursuant to and under the authority of Article VI of the Louisiana
22 Constitution of 1974 ~~to the extent that governments operating under home rule~~
23 ~~charters are subject to this Chapter as minimum standards~~ **only if and when it does**
24 **not conflict with the terms of the home rule charter or plan of government.**

25 * * *

26 §1305. Budget preparation

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F. The proposed budget and the attendant budget adoption instrument may be amended to the extent deemed appropriate by the governing authority at any point prior to final adoption, unless otherwise provided in an ordinance or home rule charter of the political subdivision.

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§1309. Adoption

A. All action necessary to adopt and otherwise finalize and implement the budget for a fiscal year, **including the adoption of any amendments to the proposed budget,** shall be taken in open meeting and completed before the end of the prior fiscal year except that:

(1) All action necessary to adopt and otherwise finalize and implement the proposed budget for a school board, **including the adoption of any amendments to the proposed budget,** shall be taken in open meeting and completed prior to the date for budget adoption by school boards, as required by R.S. 17:88(A).

(2) All action necessary to adopt and otherwise finalize and implement the proposed budget for a parish, **including the adoption of any amendments to the proposed budget,** shall be taken in open meeting and completed prior to the thirtieth day of the fiscal year for which the budget is to be applicable.

* * *

C. The adopted budget shall contain the same information as that required for the proposed budget according to R.S. 39:1305(C) for the proposed budget, **plus any amendments adopted prior to final adoption by the governing authority.**

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§1310. Amending the **adopted** budget

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C. The provisions of this Section shall not apply to the amendments of the proposed budget prior to final adoption.

Section 2. The provisions of this Act are deemed to be remedial and curative, intended to clarify existing law, and to be afforded retroactive application.

1 Section 3. This Act shall become effective on August 1, 2016; if vetoed by the
2 governor and subsequently approved by the legislature, this Act shall become effective on
3 August 1, 2016, or on the day following such approval by the legislature, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____