

HARTSVILLE/TROUSDALE COUNTY METROPOLITAN GOVERNMENT

RESOLUTION # 2020-04-679

**RESOLUTION TO ADOPT PUBLIC CHAPTER 1080 AMENDED TCA § 5-9-402
COUNTY BUDGET LAW**

WHEREAS, Article 9 of the Hartsville/Trousdale County Charter states "the Commission shall provide procedures and requirements for the preparation, adoption, and execution of annual operating...budget"; and

WHEREAS, the State and Local Finance department staff of the Tennessee Comptroller of the Treasury has highly recommended Hartsville/Trousdale County Metropolitan Government to adopt a defined set of budgeting laws; and

WHEREAS, the County has unofficially followed procedures stated in the Public Chapter 1080 amended TCA § 5-9-402 County Budget Law to provide an annual budget.

NOW THEREFORE BE IT RESOLVED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION that Hartsville/Trousdale County Metropolitan Government officially adopts the guidelines and procedures provided by the Public Chapter 1080 amended TCA § 5-9-402 County Budget Law.

Recommended by the Budget and Finance Committee January 21, 2020

Motion to approve: Jerry Ford

Second motion: T. Bubba Gregory

Voice Vote ABSENT 0

APPROVED AND RESOLVED ON JANUARY 27, 2020

APPROVED:


Dwight Jewell
Commission Chair

ATTEST:


Rita Crowder
County Clerk

Budgeting under General Law

Reference Number: CTAS-697

Historically, there has been little guidance for those counties operating under the general budgeting laws. Legislation passed in 2016, however, now provides some guidelines for those counties. Public Chapter 1080 amended T.C.A. § 5-9-402 to provide a budget adoption timeline and procedures for counties operating under the general law. Pursuant to T.C.A. § 5-9-402, general budgeting law counties must follow the timeline set forth in the statute or adopt their own timeline. The statutory timeline can be found below. Should a county legislative body choose to adopt its own budget timeline, it must also receive the approval of the county board of education for the portion of the timeline established for the LEA. The provisions in § 5-9-402 do not apply to Davidson, Hamilton, Knox or Shelby counties.

Another provision enacted by Public Chapter 1080 creates a deadline for enactment of the education budget by operation of law. Now, under T.C.A. § 5-9-404, if the county legislative body and the county school board fail to agree on a budget for the county department of education by August 31, then, by operation of law, the budget for the county department of education will be equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP. If this occurs for three consecutive years, the budget for the third year will include a three percent increase in the required local funding amount for schools unless the LEA failed to comply with the applicable budgetary timeline. The provisions in § 5-9-404 do not apply to Davidson, Hamilton, Knox or Shelby counties.

Budget development under General Law is also covered under Operating Budgets of the Accounting/Budget/Finance tab.

Statutory Timeline for County Budget Law 2016 – Public Chapter 1080

All Funds except Education - In the absence of a locally adopted schedule and locally adopted procedures, the budgetary procedures for the county shall be as follows:

No later than February 1	Forms for all budget requests shall be delivered to all departments, commissions, institutions, boards, offices, and agencies.
No later than March 1	All departments, commissions, institutions, boards, offices, and agencies except the local board of education shall deliver the budget request to the county budget committee.
No later than April 1	County budget committee shall vote upon the proposed budget and shall notify the department, commission, institution, board, office, or agency whether the county budget committee approves or rejects the proposed budget. If approved, the county budget committee or the committee's designee shall immediately forward the proposed budget to the county legislative body for consideration. If rejected, the department, commission, institution, board, office, or agency shall submit a revised budget proposal to the county budget committee within ten (10) business days after receipt of notice that the budget proposal was rejected.

Education - In the absence of a locally adopted schedule and locally adopted procedures, the budgetary procedures for the county shall be as follows:

<p>No later than May 1</p>	<p>Each LEA shall submit a proposed budget to the county budget committee; provided that, the LEA may amend the proposed budget after May 1.</p>
<p>No later than June 1</p>	<p>County budget committee shall vote upon the proposed budget and shall notify the LEA whether the county budget committee approves or rejects the LEA's proposed budget.</p> <p>If approved, the county budget committee or the committee's designee shall immediately forward the proposed budget to the county legislative body for consideration.</p> <p>If rejected, the LEA shall submit a revised budget proposal to the county budget committee within ten (10) business days after receipt of notice that the budget proposal was rejected.</p>

If the county budget committee of the local governing body rejects the first and second budget proposals from any department, commission, institution, board, office, or agency, then the third and any subsequent proposals shall be delivered directly to the county legislative body which shall approve or reject the proposal within ten (10) business days of the body's receipt of the amended proposal.

If rejected, the department, commission, institution, board, office, or agency shall submit a revised budget proposal to the county legislative body within ten (10) business days after receipt of notice that the budget proposal was rejected.

The budget must be approved on or before August 31, unless an extension is approved by the Comptroller's Office of State and Local Finance

And remember, if the county legislative body and the county school board fail to agree on a budget for the county department of education by August 31, then, by operation of law, the budget for the county department of education shall be equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP. If this occurs for three consecutive years, the budget for the third year shall include a three percent increase in the required local funding amount for schools unless the LEA failed to comply with the applicable budgetary timeline. However, this increase shall not be required if during any of those three years the school board failed to submit its budget proposals in accordance with the timeline above. This section does not apply to Hamilton, Knox, Davidson and Shelby counties.

Source URL: <http://eli.ctas.tennessee.edu/reference/budgeting-under-general-law>