

Municipal Corporations

Local Budget Law

Instructions

2022-2023

These instructions are for a county, city, or special district to publish notice of its budget committee meetings and its budget hearing and financial summary in order to comply with Oregon’s Local Budget Law.^{1,2}

Urban renewal agencies are subject to Local Budget Law and must complete the process separately from the parent municipality (county or city). Instructions designed specifically for urban renewal agencies, *Local Budget Law and Notice of Property Tax Instructions for Urban Renewal Agencies*, 150-504-076-1, are available on our website at: www.oregon.gov/dor/forms, search by form number, or by scrolling down to “Local budget.”

School districts, education service districts, and community colleges are also subject to Local Budget Law, but the forms differ somewhat. Instructions designed specifically for these districts, *Local Budget Law and Notice of Property Tax Instructions for Education Districts*, 150-504-075-1, are available at: www.oregon.gov/dor/forms, search by form number, or by scrolling down to “Local budget.”

Budget detail sheets

Budget detail sheets are used to prepare your municipal corporation’s budget. These forms are also available for download in fillable PDF or Microsoft Excel format on our website at: www.oregon.gov/dor/forms, scroll down to “Local budget.”

You may create your own computer-produced versions of these forms as long as the formats are the same as the detail sheets provided by the department.

General instructions for forms: Page

- Form OR-LB-NBC, *Notice of Budget Committee Meeting*, 150-504-0633
- Form OR-LB-1, *Notice of Budget Hearing*, 150-504-0644
- Form OR-LB-RES, *Resolutions*, 150-504-065.....9
- Form OR-LB-50, *Notice of Property Tax*, 150-504-05011
- Form OR-LB-SBH, *Notice of Supplemental Budget Hearing*, 150-504-067.....15

Finance & Taxation contact information:

Finance & Taxation 503-945-8293
finance.taxation@dor.oregon.gov

Melanie Cutler 971-301-1128
melanie.cutler@dor.oregon.gov

Danette Benjamin 971-301-1149
danette.m.benjamin@dor.oregon.gov

Jean Jitan 971-600-4097
jean.jitan@dor.oregon.gov

Arlen Stewart..... 971-209-9970
arlen.r.stewart@dor.oregon.gov

¹—Local Budget Law is found in Oregon Revised Statutes (ORS) 294.305 to 294.565.

²—Not all special districts are subject to Local Budget Law. See page 4 for information about those districts that are not subject to the law.

General information

Required forms and publications:

All districts subject to local budget law must publish the following notices:

- Form OR-LB-NBC, *Notice of Budget Committee Meeting*, 150-504-063 (see page 3 for details)
- OR-OR-LB-1, *Notice of Budget Hearing*, 150-504-064 (see page 4 for details)
- Form OR-LB-SBH, *Notice of Supplemental Budget Hearing*, 150-504-067 (as needed, see page 15 for details)

Each taxing district imposing a property tax must notify the county assessor of its property tax levy by July 15.

Districts subject to Local Budget Law must submit:

- Form OR-LB-50, *Notice of Property Tax and Certification*, 150-504-050 (see page 11 for details), **and**
- Governing body resolutions that adopt the budget, make appropriations, impose property taxes, and categorize those taxes as to their Measure 5 category.

Districts not subject Local Budget Law must submit:

- Form OR-LB-50, *Notice of Property Tax and Certification*, 150-504-050 (see page 11 for details), **and**
- Governing body resolutions that impose property taxes and categorize those taxes as to their Measure 5 category.

Electronic versions of the forms are found on our website at: www.oregon.gov/dor/forms, scroll down to “Local budget.” Computer produced versions of these forms may be used as long as the format is the same as the forms provided on our website.

Be sure to use the new forms for 2022–2023 provided on our website. Read these instructions carefully. If you use forms generated by your computer, revise your forms accordingly.

How to publish

Publication is defined in ORS 294.311(35) as being one of the following actions:

- Printing in one or more newspapers of general circulation within the boundaries of the district; or
- Mailing through the U.S. Postal Service by first class mail, postage prepaid to each street address, PO Box and rural route number within the boundaries of the district; or
- Hand delivery to each street address within the boundaries of the district.

When these instructions say “publish” it means by any of the methods described above, unless otherwise noted.

Filling out the forms

You may fill out the forms on our website. There is a “fillable” PDF version and a Microsoft Excel version of each form. The “fillable” PDF version can be filled in online and then printed. However, it can’t be edited once you have saved it to your computer, so every time you access a form online, you must begin with the blank form. The Excel version can be downloaded to your computer and then filled in, saved, and edited later. If you use the Excel version you may insert lines (rows) as necessary to make more room, for example on the Form OR-LB-1 for all of your organizational units/programs. You may also delete any blank lines.

Alternatively, you may download the necessary forms from our website and then fill in your information by hand. If you prepare a paper version of a form, you may cut and paste to add more space or to delete blank lines.

Biennial budgets

Local governments may budget either for a one-year (fiscal year) or a two-year (biennial) budget period. Except as noted, all requirements for publishing notices and certifying property tax are the same for both. If a district adopts a biennial budget, the financial summary of the budget as approved by the budget committee that is published on Form OR-LB-1, *Notice of Budget Hearing*, must show actual revenues and expenditures for the biennial budget period preceding the current budget period, the estimated resources and requirements in the budget adopted for the current biennial budget period, and the estimated resources and requirements for the ensuing biennial budget period.

The governing body must pass a resolution or ordinance to levy and categorize any property taxes **for each year of the ensuing budget period.**

Regardless of whether a budget is for a single fiscal year or for a biennium, Form OR-LB-50, *Notice of Property Tax and Certification*, and a copy of the resolution or ordinance levying and categorizing taxes for the ensuing year must be submitted to the county assessor **every year by July 15.**

Districts that are required to submit their budgets to the Tax Supervising and Conservation Commission must do so **only during the first year of a biennial budget period.**

Special districts that are not subject to Local Budget Law

The governing body of special districts not subject to local budget law must adopt a budget and make appropriations by June 30. If the district imposes any tax, fee, charge or assessment on the property tax roll, it must submit a Form OR-LB-50, *Notice of Property Tax and Certification and resolutions*, imposing taxes and categorizing the taxes to the county assessor by July 15. However, the district may not need to form a budget committee, or publish a Form OR-LB-NBC, *Notice of Budget Committee Meeting*, 150-504-063, publish Form OR-LB-1, *Notice of Budget Hearing and Financial Summary*, 150-504-064, or otherwise follow Local Budget Law.

The following types of special districts are exempt from Local Budget Law, but may have additional budgeting requirements under their formation statute:

- Drainage districts organized under ORS chapter 547;
- District improvement companies organized under ORS chapter 554;
- Highway lighting districts organized under ORS chapter 372;
- Irrigation districts organized under ORS chapter 545;
- Road districts organized under ORS chapter 371, unless it is a county road district that is imposing an ad valorem tax;
- Soil and water conservation districts organized under ORS chapter 568 that won't levy an ad valorem tax during the ensuing year or ensuing budget period;
- Municipal public utilities operating under separate boards or commissions, authorized under ORS chapter 225 and city charters, and people's utility districts organized under ORS chapter 261, both operating without ad valorem tax support during the ensuing year or ensuing budget period;
- Housing authorities organized under ORS 446.515 to 446.547 and ORS chapter 456 that are not carrying out urban renewal activities using a division of ad valorem taxes under ORS 457.440 during the ensuing year or ensuing budget period;
- Water control districts organized under ORS chapter 553 that won't levy an ad valorem tax during the ensuing year or ensuing budget period;
- Hospital financing authorities organized under ORS 441.525 to 441.595;
- Export trading corporations organized under ORS 777.755 to 777.800;
- Diking districts organized under ORS chapter 551;
- Health districts organized under ORS 440.315 to 440.410; and
- Intergovernmental entities created under ORS 190.010, including councils of governments described in ORS 294.900 to 294.930, except that an intergovernmental entity or a council of governments that proposes to impose ad valorem property taxes for the ensuing year or budget period is subject to Local Budget Law for the budget prepared for that year or period.

Form OR-LB-NBC, Notice of Budget Committee Meeting, 150-504-063

A notice must be filed prior to the first budget committee meeting at which they will be:

- (1) Receiving the budget message and the budget document; and
- (2) Providing members of the public with an opportunity to ask questions about and comment on the budget document. If more than one meeting is being held to meet these two requirements, then the first meeting must be to receive the budget and budget message. The public comments may also be heard at that meeting. If the public won't be provided the opportunity to comment at that first meeting, then the budget committee must provide such an opportunity at one or more subsequent meetings.

If more than one meeting is used to meet the requirements, the published notice may be a single notice containing all of the required information. If several meetings are being held to take public questions and comments, only the first of the series must be formally "published," but notice of each subsequent meeting must be given in the same time frame as meetings of the governing body of the municipal corporation and in the same manner, or in one of the publication formats described in Local Budget Law: printing in newspaper, mailing, or hand delivery.

Notice of the meeting(s) to fulfill the two budget committee requirements must state:

- The purpose, time and place of the meeting(s) and where the budget document is available.
- That the meeting is a public meeting.
- If the meeting is one at which public comment will be invited, then the notice must state that any person may ask questions about and comment on the budget document at that meeting.

The *Notice of Budget Committee Meeting* form may be used to provide notice of the budget committee meeting. Two versions of the form are provided on our website. Use the “A” version of the form if the budget committee will receive the budget message and take public comment at the same meeting. Use the “B” form if public comment will be taken only at a meeting held after the meeting at which the budget message is delivered. If you use the “B” form, you must publish the date, time, and location of the meeting at which the budget message will be delivered, and also the date, time, and location of the first meeting at which public comment will be taken.

A district may wish to compose its own notice. This is acceptable as long as all of the required elements are included in the notice.

Publishing the notice of the budget committee meeting

If the notice is only published in a newspaper, the notice must be published at least twice. The first publication can’t be more than 30 days prior to the meeting date, and the second publication can’t be less than five days prior to the meeting date.

Alternatively, you may post notice of the meeting prominently on your internet website for at least the 10 days before the meeting and publish one time in a newspaper, five to 30 days before the meeting. If you choose to post one of the notices on your website, the newspaper notice must give the website address where the notice is posted.

If notice is published by mailing or by hand delivery, only one notice is required and it must be mailed or hand delivered not later than 10 days prior to the meeting date.

Form OR-LB-1, Notice of Budget Hearing, 150-504-064

Every local government that is subject to Local Budget Law must publish notice of the budget hearing and summary of approved budget. Form OR-LB-1, *Notice of Budget Hearing*, may be used for this purpose.

Important: If you generate your publication notice from a computerized accounting system, your output must conform to the current version of Form OR-LB-1.

Instead of using Form OR-LB-1, you may use a narrative publication format of your own design. If a nar-

ative format is used, it must contain all of the same information provided on the form, but it can also include any other information you want to provide.

Form OR-LB-1 *Notice of Budget Hearing* contains seven sections:

1. Legal notice of the time and place of the budget hearing, including a statement of where a copy of the budget may be obtained, and a statement of the basis of accounting used to prepare the budget. If the basis of accounting has changed, include a description of the effect this change will have on the budget.
2. A financial summary of the budget resources.
3. A financial summary of the budget requirements by object classification.
4. A financial summary of the budget requirements by organizational unit or program including the number of full-time equivalent employees in each unit or program.
5. A narrative statement of the prominent changes from the current year in the activities and financing of the organizational units or programs.
6. A summary of the property tax levies.
7. A statement of indebtedness.

Columns on the form

Some sections of Form OR-LB-1 contain three columns for financial data. These columns provide data for different fiscal years, as explained below:

Actual Amounts Last Year. This column contains the actual amounts spent or received as reflected in the audited financial data for the prior fiscal year or biennial budget period. This column corresponds with column two of the budget detail sheet, “First Preceding Year.”

Adopted Budget This Year. This column contains the amounts in the current year’s adopted budget, including any supplemental budgets adopted by the governing body. This column corresponds with column three of the budget detail sheet, “Adopted Budget this Year.”

Approved Budget Next Year. This column contains the amounts for next year as **approved by the budget committee**. This column corresponds with the “Approved by Budget Committee” column on the budget detail sheets.

Summarizing expenditures and resources

The amounts in the financial summary sections must include the total from all funds. A resource or expenditure item or an organizational unit or program must be included in the publication if an amount was adopted for the item in the current year budget or in the preceding year or was approved for that item for next year.

Financial summary—Resources

Fill in the total amount for each year for the following budget resource items:

- **Beginning fund balance/net working capital.** The amount of cash, cash equivalents and investments (if you use the cash basis of accounting) or net working capital and investments (accrual basis) on hand at the beginning of the budget period.
- **Fees, licenses, permits, fines, assessments and other service charges.** Revenues from any charges you impose for services you provide.
- **Grants, gifts, allocations and donations.** Revenues given to you by others during the budget year including revenue sharing.
- **Revenue from bonds and other debt.** Any money you borrow and receive during the budget year.
- **Interfund transfers/internal service reimbursements.** Amounts transferred from one fund to another are resources in the fund that receives the transfer. Internal service charges paid by a budget transfer from one unit of the organization for services provided by another unit are resources in the fund that receives the transfer.
- **All other resources except current year property taxes.** Interest earned on investments, prior years' property tax revenue received this year, and any other revenues not included in one of the other categories.
- **Current year property taxes.** The total amount from all current year property taxes.

Financial summary—Requirements by Object Classification

Fill in the total amount of budget requirements for each year for the following object classification categories:

- **Personnel services.** Salaries, benefits, workers compensation insurance, social security tax and other costs associated with employees.

- **Materials and services.** Contractual and other services. Materials, supplies, utilities, insurance, travel and other miscellaneous charges and operating expenses.
- **Capital outlay.** Land acquisition, buildings, improvements, machinery, equipment and other capital assets.
- **Debt service.** The amount set aside for repayment of debt. It includes principal and interest on both short-term debt and long-term debt.
- **Interfund transfers.** Amounts budgeted to be transferred from one fund to another within the budget.
- **Contingencies.** The amount set aside for anticipated operating expenses that can't be specifically identified at the time the budget is prepared.
- **Special payments.** Payments of taxes, fees or charges collected by one entity and then paid to another organization on a pass-through basis, grants made or distributed to others that will be expended by them, and other expenditures that don't fit into one of the other expenditure categories.
- **Unappropriated ending balance and reserved for future expenditure.** The total of unappropriated ending fund balances or ending fund balances and reserved for future expenditure amounts in all funds. Unappropriated ending fund balance or ending fund balances is the amount set aside under ORS 294.398 to provide funds in the budget period following the one for which this budget is approved, for expenditures expected between July 1 and the time when enough new revenues are on hand to meet cash flow needs. Reserved for future expenditure is the amount that isn't anticipated to be spent in the upcoming budget period, but rather "saved" for future needs.

The "Total Requirements" in each column in this section of the form should equal the "Total Resources" in the corresponding column of the "Resources" section of the form.

Financial summary—Requirements and Full-Time Equivalent Employees by Organizational Unit or Program

In this section of the form, list the total expenditures and other budget requirements and the total number of full-time equivalent employees (FTE) in each organizational unit or program in your budget. Write in the name of each organizational unit or program as it appears in your budget. On the line to the right of the unit or program name, show the total require-

ments in all funds expended for that unit or program last year, in the current year, and in the approved budget for next year. On the line immediately below the total requirements for each unit or program, write the number of (FTE)s for that unit or program in each year. Add more lines if necessary, so that all of the units or programs are shown. You may delete any unused rows before publishing.

If you have expenditures or employees that are not budgeted for a particular organizational unit or program, write the total of all such requirements on the line labeled "Non-Departmental/Non-Program," and the total FTE of such employees on the line immediately below.

The "Total Requirements" in each column in this section of the form should equal the "Total Requirements" in the corresponding column in the "Requirements by Object Classification" section of the form.

Statement of Changes in Activities and Sources of Financing

In this section of the form, write a narrative description of any prominent changes in the activities and financing of the organizational units or programs in the approved budget as compared to the current year budget. The information you include here might be copied from similar information in the budget message that you presented to your budget committee this year.

Take as much space or as little as necessary to describe all prominent changes. If you need more space and you are using the Excel version of the form, you may insert lines (rows). If you are using a paper version of the form, you may use additional sheets of paper. If you use a paper version of the form, and you publish the notice in a newspaper, be sure to cut and paste, so the narrative section is printed all together. As in other sections of the form, if you don't need all of the lines or space provided, you may delete any unused rows before publishing.

Property Tax Levies

On the three lines provided, write in the tax rate or the amount of your permanent rate levy, and any local option levies or bond levies for each year. On the line for the "Permanent Rate Levy," write in your full permanent rate **limit** on the line within parentheses, whether you imposed that full rate or not. In each year column, write in the actual tax rate or dollar amount that you imposed in that year, or in the case of the "Approved Next Year" column, the rate or amount

approved by your budget committee. State the rate as a rate per \$1,000 of assessed value. (Typically, a rate per \$1,000 on the form looks like "\$x.xxxx," in dollars and cents, with the decimal followed by four digits. Example: \$1.50 per \$1,000 would be written "\$1.5000.")

If you imposed or your budget committee has approved any local option levies, write in the rate or amount on the "Local Option Levy" line. If you have more than one local option levy in any year, state the rates or amounts separately.

If you imposed or your budget committee has approved any levies to pay debt service on general obligation bonds, write in each year's amount on the line for "Levy for General Obligation Bonds."

Statement of Indebtedness

This section summarizes your authorized and outstanding debt. List for any general obligation bonds, other bonds and other borrowings the debt outstanding and the debt authorized but not yet incurred on July 1. Debt authorized but not incurred usually refers to general obligation bond debt that has been voter-approved, but for which the bonds haven't yet been sold.

Publishing Form OR LB-1, Notice of Budget Hearing, 150-504-064

Taxing districts that are subject to Local Budget Law must notify the public of the budget hearing by publishing the notice and financial summary in a newspaper, first class mail, or hand delivery not less than five or more than 30 days before the scheduled hearing. You may also post this notice on your website in addition to one of the publishing methods. See page three for "How to Publish."

Posting

If no newspaper is published in the district **and** the total anticipated requirements won't exceed \$100,000 (\$200,000 if a biennial budget), the hearing notice and financial summary may be posted in three conspicuous places in the district for at least **20 days** before the scheduled budget hearing instead of publishing the notice by newspaper, mail or hand-delivery.

Form OR-LB-1 Sample

**FORM
OR-LB-1**

NOTICE OF BUDGET HEARING

Oregon Department of Revenue

1 A public meeting of the Sample City Council will be held on June 15, 2022 at 3:00 a.m. at Council
(Governing body) (Date) p.m.

Chambers, 1333 NW Sample Pkwy., Sample City, Oregon. The purpose of this meeting is to discuss the budget for the
(Location)

fiscal year beginning July 1, 2022 as approved by the Sample City Budget Committee. A summary of
(Municipal corporation)

the budget is presented below. A copy of the budget may be inspected or obtained at City Administration Dept., City
(Street address)

Hall-3rd Floor, between the hours of 8:00 a.m., and 5:00 p.m., or online at www.samplecity.net This
 budget is for an annual; biennial budget period. This budget was prepared on a basis of accounting that is: the same as;
 different than the preceding year. If different, the major changes and their effect on the budget are:

Contact	Telephone number	E-mail
J. Smith	503-555-0000	jsmith@sample.ci.or.us

2

FINANCIAL SUMMARY – RESOURCES			
TOTAL OF ALL FUNDS	Actual Amounts 20 20 -20 21	Adopted Budget This Year: 20 21 -20 22	Approved Budget Next Year: 20 22 -20 23
1. Beginning Fund Balance/Net Working Capital	1,280,354	982,310	572,420
2. Fees, Licenses, Permits, Fines, Assessments & Other Service Charges...	1,200,693	949,590	446,570
3. Federal, State & all Other Grants, Gifts, Allocations & Donations	397,048	70,700	72,570
4. Revenue from Bonds & Other Debt	25,333	1,500,060	477,930
5. Interfund Transfers/Internal Service Reimbursements	221,596	222,060	200,620
6. All Other Resources Except Current Year Property Taxes	12,541	7,860	12,780
7. Current Year Property Taxes Estimated to be Received.....	2,106,729	1,334,085	2,695,665
8. Total Resources—add lines 1 through 7.....	\$5,244,294	\$5,066,665	\$4,478,555

3

FINANCIAL SUMMARY – REQUIREMENTS BY OBJECT CLASSIFICATION			
9. Personnel Services	3,315,976	3,065,300	2,809,760
10. Materials and Services	358,671	378,505	361,350
11. Capital Outlay	22,176	102,570	95,800
12. Debt Service	97,666	35,640	35,565
13. Interfund Transfers.....	39,214	50,570	77,515
14. Contingencies.....	164,523	164,800	165,450
15. Special Payments	163,987	128,110	145,680
16. Unappropriated Ending Balance and Reserved for Future Expenditure ...	1,082,081	1,141,170	787,435
17. Total Requirements—add lines 9 through 16.....	\$5,244,294	\$5,066,665	\$4,478,555

4

FINANCIAL SUMMARY – REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM*			
Name of Organizational Unit or Program			
FTE for Unit or Program			
Name <u>Administration</u>	486,424	373,303	395,989
FTE	5	4	4
Name <u>Police</u>	1,361,987	1,399,885	1,385,962
FTE	14	15	14
Name <u>Fire & Emergency Services</u>	875,563	746,605	692,980
FTE	9	8	7
Name <u>Planning & Economic Development</u>	194,570	279,977	197,995
FTE	2	3	2

Form LB-1 Sample (continued)

Name <u>Environmental Services & Public Works</u>	778,279	746,605	593,984
FTE	8	8	6
Not Allocated to Organizational Unit or Program	1,547,471	1,520,290	1,211,645
FTE	0	0	0
Total Requirements	\$5,244,294	\$5,066,665	\$4,478,555
Total FTE	38	38	33

5

STATEMENT OF CHANGES IN ACTIVITIES AND SOURCES OF FINANCING*

A reduction in revenue from building permits and inspection fees of approximately \$500,000 makes it necessary to reduce staff by 5 FTE, as follows: 1 FTE from the Police Department; 1 FTE from the Fire Department; 1 FTE from the Planning Department; 2 FTE from Public Works.

6

PROPERTY TAX LEVIES

	Rate or Amount Imposed	Rate or Amount Imposed	Rate or Amount Approved
Permanent Rate Levy (Rate Limit <u>3.6129</u> Per \$1000)	3.6129	3.6129	3.6129
Local Option Levy	1.5000 + \$100,000	1.5000 + \$100,000	1.5000 + \$100,000
Levy for General Obligation Bonds	102,550	37,420	37,700

7

STATEMENT OF INDEBTEDNESS

Long Term Debt	Estimated Debt Outstanding on July 1	Estimated Debt Authorized, but not Incurred on July 1
General Obligation Bonds	\$26,215,012	
Other Bonds	\$9,246,324	
Other Borrowings	\$5,461,336	
Total	\$40,922,672	

*If more space is needed to complete any section of this form, use the space below or add sheets.

Resolutions Adopting, Appropriating, Imposing, and Categorizing Taxes

After the public hearing, at a regularly scheduled meeting, the governing body must enact resolutions or ordinances to adopt the budget, make appropriations, impose property taxes, and categorize the taxes.

Resolution adopting the budget

Adopt the budget by June 30. The resolution that adopts the budget should state the total amount of all budget requirements. Budget requirements include all expenditures, transfers and contingencies, along with any “Reserved for Future” amounts and “Unappropriated Ending Fund Balance” amounts.

Resolution making appropriations

Include a schedule of appropriations, by fund and organizational unit or program, in the resolution making appropriations. This schedule provides the district with legal spending authority and spending limitations throughout the fiscal year.

If you adopt a biennial budget, you must appropriate for the entire 24-month budget period.

At a minimum, for each fund you must 1) appropriate a separate amount for each organizational unit or program and 2) appropriate separate amounts for expenses that can’t be allocated to a particular organizational unit or program using the appropriation categories outlined in statute [ORS 294.456(3)]:

- Personnel services.
- Materials and services.
- Capital outlay.
- Debt service.
- Special payments.
- Interfund revenue transfers.
- Operating contingency.

Use only these appropriation categories. Don’t use categories such as “Other” or “Miscellaneous.”

For example:

General fund—	
Administration	\$562,415
Police department	\$1,193,010
Fire & EMS	\$457,850
Capital Outlay.....	\$1,099,000
Debt Service	\$34,500
Interfund revenue transfer.....	\$200,500

The amount appropriated for a unit or program should include the amounts for personnel services, materials and services, and any capital outlay attributed to that unit or program.

Appropriate items that are not specifically identified with an organizational unit or program—debt service, special payments, interfund revenue transfers, operating contingency, and non-departmental/non-program capital outlay—separately in each fund.

Remember, “Unappropriated Ending Fund Balances” and “Reserved for Future Expenditure” amounts are not included as appropriations in the resolution because these amounts are not going to be spent in the coming year.

Resolution imposing taxes

State the dollar amount or rate of each property tax being certified to the county assessor. **Taxes imposed must be the same or lower than the dollar amount or rate approved by the budget committee**, unless the governing body republished the budget summary with the changed taxes and held a second budget hearing.

Under the **permanent rate limit**, the budget committee may have chosen to impose a dollar amount. If the governing body agrees with this choice, the resolution must reflect that dollar amount of taxes and not impose the rate. Impose only a rate **or** dollar amount, **not both**.

Your district may have received voter approval for one or more **local option taxes**. Local option taxes can be for operations or capital projects. In the resolution state the dollar amount or rate approved by the voters for each local option tax by type—operations or capital project. Again, the dollar amount or rate must be the same or lower than that approved by the budget committee unless the budget was republished.

Taxes imposed to pay for **bonds** are **always** imposed as a dollar amount. In the resolution, state the dollar amount of taxes needed to pay general obligation bond principal and interest, including the extra amount you add to replace the amount estimated to be lost to discounts and uncollectables. As with the other taxes, this amount must be equal to or lower than the amount approved by the budget committee unless amended by the governing body by republishing the revised amount and holding a second hearing prior to adopting the budget.

Resolution categorizing taxes

The governing body must declare by resolution the constitutional tax limitation category into which each of the district's tax levies will be placed. The tax categories most often used by counties, cities and special districts are **general government** and **excluded from limitation**.

Taxes for debt service on general obligation bonds are excluded from limitation. All other ad valorem taxes are usually subject to the general government limit.

If a general government district levies a local option tax, a portion of which is intended by the voters for use by an education category district, the portion intended for education must be categorized in the education category. The resolution must specify how much of the rate or dollar amount will be used in each category.

The statement categorizing a tax may be combined with the statement imposing the tax.

The rate or amount categorized must be the same as the rate or amount stated in the resolution imposing the tax.

Sample resolution form

Form OR-LB-RES, Resolution, can also be found on our website. If it doesn't meet your needs (perhaps because you have more than four funds), use the language as an example, and create your own resolution. For more details on the resolution statements read Chapter 11 in the *Local Budgeting Manual*.

Submission to Department of Revenue

If you are subject to Local Budget Law and are not imposing a property tax, by July 15, submit the resolution statements adopting the budget and making appropriations to the department by e-mail to: **finance.taxation@oregon.gov**. Alternatively, you may mail them to Property Tax Division, Oregon Department of Revenue, PO Box 14380, Salem OR 97309-5075.

Sample

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts shown below are hereby appropriated for the fiscal year beginning July 1, 2022, for the following purposes:

General Fund

Organizational Unit or Program:

Administration	395,989
Police	1,385,962
Fire & Emergency Services	692,980
Planning & Economic Development	197,995

Not Allocated to Organizational Unit or Program:

Debt Service	3,000
Special Payments.....	145,680
Transfers Out.....	77,515
Contingency.....	115,450
Total.....	\$3,014,571

Debt Service Fund

Debt Service	32,565
Total.....	\$32,565

Public Works Fund

Enviromental Serv. & Public Works	593,984
Contingency.....	50,000
Total.....	\$643,984

Total APPROPRIATIONS, All Funds . . . \$3,691,120

Total Unappropriated and Reserve Amounts, All Funds . . . 787,435

TOTAL ADOPTED BUDGET . . . \$4,478,555 *

(*amounts with asterisks must match)

Form OR-LB-50, Notice of Property Tax and Certification of Intent to Impose a Tax, Fee, Assessment or Charge on Property, 150-504-050

Form OR-LB-50 is used to certify and categorize your property tax and other charges to the county assessor. The tax certification Form OR-LB-50 is due to the county assessor by **July 15**, unless a written extension of time to certify has been approved by the assessor prior to July 15.

Oregon law (ORS 310.060) allows taxing districts to request in writing an extension of time to certify taxes (for good and sufficient reasons). The written request for extension must be given to the county assessor by **July 15**.

If you adopt a biennial budget, you must certify taxes each year you wish to impose a tax levy. You must submit a **separate** certification each year of the two-year budget period.

General instructions

In the spaces at the top of this form, fill in:

- The name of the county being sent the certification.
- The name of the taxing district and the name of the county where the district is located. (If the district is located in more than one county, submit the certification to each county listing the primary county first.)
- The mailing address of the district, including city and zip code; and
- The name, title, daytime telephone number, and email address of a budget contact person. This person should be someone who is available for contact after the document is submitted to the assessor.
- If a district imposes a levy that it intends to split between general government and education categories, Form ED-50 is also required to certify the rate or amount intended for education. Form ED-50 is available on our website at: www.oregon.gov/dor/forms, scroll down to “Local budget.”

Certification check boxes

ORS 294.456 doesn't allow a district that is subject to Local Budget Law to certify ad valorem property taxes in an amount or at a rate greater than that approved by the budget committee, unless an amended budget summary is republished by the governing

body and a second budget hearing is held. **One of these boxes must be checked.** If the amount or rate being certified isn't greater than that approved by the budget committee, check the first box. If the budget was republished, and the amount or rate is within the amount republished, check the second box.

The assessor's office won't accept your tax certification documents unless one of these boxes is checked.

Exception: Special districts that are not subject to Local Budget Law need not check one of these boxes.

Part I: Taxes to be Imposed

Line 1. You may enter an amount or rate in box 1. If your governing body resolution imposing taxes stated a rate per \$1,000 of assessed value, enter the same rate in box 1. The rate entered may be up to your maximum permanent rate limit as shown on line 6.

If your governing body resolution imposing taxes stated a dollar amount, you must enter the same dollar amount in box 1. This amount can't exceed the amount your permanent rate would actually raise.

Line 2. If you are certifying a local option levy for operations, you may enter a dollar amount or rate in box 2. If you certify a rate, enter the rate per \$1,000 of assessed value. The rate entered may be up to the maximum rate approved by the voters and must equal the rate imposed by resolution.

You must enter a dollar amount to be levied if the voters approved a fixed-dollar levy. The amount can't exceed the amount approved by the voters and must equal the amount in the resolution imposing tax.

Line 3. If you are certifying a local option levy for capital projects, you may enter a dollar amount or rate in box 3. If you certify a rate, enter the rate per \$1,000 of assessed value. The rate entered may be up to the maximum rate approved by the voters and must equal the rate imposed by resolution.

You must enter a dollar amount to be levied if the voters approved a fixed-dollar levy. The amount can't exceed the amount approved by the voters and must equal the amount in the resolution imposing tax.

Line 4. The City of Portland is the only entity that may use this line. Enter the amount being levied to pay for qualifying pension and disability obligations in box 4.

Lines 5a, 5b, and 5c. If your debt service levy includes amounts for bonds approved prior to October 6, 2001, and bonds approved after that date, see the back of

Form OR-LB-50 for a worksheet to use in figuring lines 5a and 5b.

The worksheet uses the amount of budgeted principal and interest expenditures for each bond issue to arrive at a ratio. This ratio is then used to allocate the total levy on line 5c between bonds approved before and after October 6, 2001.

Line 5a. Enter the amount levied that is used to repay principal and interest on bonds approved by the voters prior to October 6, 2001. Advanced refunding bonds that are sold to refund bonds authorized prior to October 6, 2001 are treated as if they were authorized prior to October 6, 2001.

Line 5b. Enter the amount levied that is used to repay principal and interest on bonds approved by the voters after October 6, 2001.

Line 5c. Enter the total dollar amount levied to pay for bond principal and interest not subject to the limitations of Measure 50 (section 11, Article XI) or Measure 5 (section 11b, Article XI) in box 5c. Bond levies are always a dollar amount. This line is the total of lines 5a and 5b.

The total debt service levy on line 5c must be the same amount as stated in the resolution imposing tax.

Part II: Rate Limit Certification

Most districts had a permanent rate limit established in 1997–98 for operating taxes. Some new districts have had permanent rate limits established by voters. Other districts have a new permanent rate because of a merger or consolidation.

Part II of this form is designed to notify the assessor of your permanent rate limit.

Line 6. Enter the district's permanent rate limit per \$1,000 of assessed value. The rate should be carried four places to the right of the decimal point. If you don't know your permanent rate limit, contact your county assessor, or the Department of Revenue, Finance and Taxation Team.

Line 7. If you are a new district that just had its permanent rate limit established by the voters, enter the **date of the election** in which your rate limit was approved. You only need to complete this line for the first year your new permanent rate limit is certified. If you use line 7, include a copy of the **ballot measure** with your certification documents.

Line 8. If your district went through a merger or consolidation during the current fiscal year, show your estimated permanent rate limit on this line. Before

taxes are extended on the roll for the upcoming fiscal year, the assessor will calculate a permanent rate limit for your district using actual values. You will be notified of the actual new permanent rate limit. If your estimated rate is higher than the actual permanent rate limit, the assessor will use the actual rate. If your estimated rate is less than the actual permanent rate limit, the assessor will use the estimated rate. You may contact your county assessor, or the Department of Revenue, Finance and Taxation Team if you need help in estimating your new permanent rate limit.

Part III: Schedule of Local Option Taxes

Complete this schedule if you have one or more voter-approved local option taxes. For each local option tax, list the purpose of the tax (operating or capital project), the date voters approved it, the first tax year the tax can be imposed, the final tax year the tax will be imposed and the dollar amount or rate authorized by the voters.

Part IV: Special Assessments, Fees, and Charges

Those districts and nongovernmental entities that place non-ad valorem taxes or other charges on the tax roll must certify to their county assessor by July 15, by completing this part of the form.

If your district is imposing any of the following items, you must declare them on this portion of the form:

1. Ad valorem assessments.
2. Other taxes, fees, charges, and special assessments such as for water, irrigation, road, drainage, etc., which may be placed on the roll under the provisions of a specific statute.

Counties and cities may have charges that fall into this area. Some special districts such as irrigation, water and some road districts, may also impose a special assessment on the properties within their boundaries. Some nongovernmental entities also have specific statutory authority to place charges on the roll. These charges may be calculated on an ad valorem basis or on another unit of measurement, such as by property, acre, or frontage foot. Your options are usually governed by statute in the chapter of the Oregon Revised Statutes under which your district is organized.

Identify by category

For every item described in Part IV, show the total amount in the column for the appropriate category. These categories are:

General government. Generally, these are taxes on property imposed by a unit of government whose main purpose is to perform governmental operations other than educational services.

Excluded from limitation. These are fees, charges, and special assessments not limited by Measure 5.

If you have questions about the correct category of your tax, consult your legal counsel, or the statewide organization representing your district, or your county assessor.

Describe the specific charge(s) on the available line(s) under the heading, "Description."

Determine the total of each type of charge. Place the total dollar figure in the box under the appropriate category.

Attach a complete listing of properties, by assessor's account number, on which fees, charges, and assessments are imposed. Show the amount of the fees, charges, or assessments which are imposed uniformly on the properties, i.e., each property will pay the same dollar amount. If the fees, charges, or assessments are not uniform, such as, the amounts are calculated differently for each property, show the amount imposed on each property.

If your district is using Part IV, you must enter in the space provided the specific Oregon Revised Statute (ORS) number that gives the district the authority to place the items on the tax roll.

Submission to assessor

If you are **imposing a tax on property** and are **subject to Local Budget Law**, you must submit the following documents to the county assessor in each county in which this tax is imposed by July 15, or the date of extension granted by the assessor:

- Two copies of the resolution statements that adopt the budget, make appropriations, impose taxes, and categorize the taxes.
- Two copies of a complete Form OR-LB-50.
- Two copies of any newly approved local option or permanent rate ballot measures.

If you are imposing a tax on property and are **not** subject to Local Budget Law, you must submit:

- Two copies of a resolution imposing and categorizing the tax.
- Two copies of Form OR-LB-50.
- Two copies of any newly approved local option or permanent rate ballot measures.

If you are imposing a fee, charge or assessment that is **not** a tax on property and you are **not** subject to Local Budget Law, submit two copies of Form OR-LB-50. The assessor or the Department of Revenue may request additional documents.

Don't submit a copy of your budget to the assessor or the Department of Revenue unless it is specifically requested.

If your district is subject to Local Budget Law, a complete copy of your budget must be submitted to the county clerk by September 30.

Form OR-LB-50 Sample

Notice of Property Tax and Certification of Intent to Impose a Tax, Fee, Assessment, or Charge on Property

FORM OR-LB-50 2022-2023

To assessor of Sample County

Check here if this is an amended form.

• Be sure to read instructions in the current Notice of Property Tax Levy Forms and Instructions.

The Sample City has the responsibility and authority to place the following property tax, fee, charge, or assessment

District name

on the tax roll of Sample County. The property tax, fee, charge, or assessment is categorized as stated by this form.

County name

123 Main Street Sample OR 97000 6-28-22
Mailing address of district City State ZIP code Date submitted

J. Smith Mayor 503-555-0000 j.smith@sample.net
Contact person Title Daytime telephone number Contact person e-mail address

CERTIFICATION— You must check one box if you are subject to Local Budget Law.

The tax rate or levy amounts certified in Part I are within the tax rate or levy amounts approved by the budget committee.

The tax rate or levy amounts certified in Part I were changed by the governing body and republished as required in ORS 294.456.

PART I: TAXES TO BE IMPOSED

	Subject to General Government Limits		
	Rate	— or — Dollar Amount	
1. Rate per \$1,000 or total dollar amount levied (within permanent rate limit) ... 1	3.6129		
2. Local option operating tax 2	\$100,000		Excluded from Measure 5 Limits
3. Local option capital project tax 3	1.5000		Dollar Amount of Bond Levy
4. City of Portland Levy for pension and disability obligations 4	0		
5a. Levy for bonded indebtedness from bonds approved by voters prior to October 6, 2001 5a			\$12,200
5b. Levy for bonded indebtedness from bonds approved by voters after October 6, 2001 5b			\$25,500
5c. Total levy for bonded indebtedness not subject to Measure 5 or Measure 50 (total of 5a + 5b) 5c			\$37,700

PART II: RATE LIMIT CERTIFICATION

6. Permanent rate limit in dollars and cents per \$1,000 6	3.6129
7. Election date when your new district received voter approval for your permanent rate limit 7	N/A
8. Estimated permanent rate limit for newly merged/consolidated district 8	N/A

PART III: SCHEDULE OF LOCAL OPTION TAXES— Enter all local option taxes on this schedule. If there are more than two taxes, attach a sheet showing the information for each.

Purpose (operating, capital project, or mixed)	Date voters approved local option ballot measure	First tax year levied	Final tax year to be levied	Tax amount — or — rate authorized per year by voters
Operating	Nov. 2, 2018	2019-20	2023-24	\$100,000
Capital Project	May 21, 2019	2020-21	2028-29	1.5000

PART IV: SPECIAL ASSESSMENTS, FEES, AND CHARGES*

Description	ORS Authority**	Subject to General Government Limitation	Excluded from Measure 5 Limitation
1 Delinquent Sewer Charges	454.225		\$10,000
2			

*If fees, charges, or assessments will be imposed on specific property within your district, you must attach a complete listing of properties, by assessor's account number, to which fees, charges, or assessments will be imposed. Show the fees, charges, or assessments uniformly imposed on the properties. If these amounts are not uniform, show the amount imposed on each property.

** The ORS authority for putting these assessments on the roll must be completed if you have an entry in Part IV.

(see the back for worksheet for lines 5a, 5b, and 5c)

File with your assessor no later than JULY 15, unless granted an extension in writing.

Form OR-LB-SBH, Notice of Supplemental Budget Hearing, 150-504-067

General

Use this form only if a supplemental budget hearing is needed. Not every supplemental budget requires a hearing. A hearing is required when the supplemental budget makes a change in expenditures of more than 10 percent in any fund.

A supplemental budget that does not change expenditures in any fund by more than 10 percent may be adopted at a regular meeting of the governing body. Publish notice of the regular meeting at least five days prior to the meeting and include a statement that a supplemental budget will be considered. For more information on supplemental budgets see the *Local Budgeting Manual*, 150-504-420, or ORS 294.471.

Hearing notice

Complete the upper portion of the form by giving the name of the district, the location, date, and time of the hearing, and indicate when and where a copy of the supplemental budget document can be obtained or inspected. The hearing notice must also contain a summary of the proposed budget changes.

Summary of Proposed Budget Changes

Give the name of each fund being adjusted by more than 10 percent. Use a separate section for each fund being adjusted.

Next, list any resource item that is being added or adjusted, such as "Unrestricted Grant," or "transfer from Special Revenue Fund," and the new total amount. Also list any expenditure category that is being adjusted, such as "Personnel Services" or "Capital Outlay," and the new total amount.

If the supplemental budget is changing an existing resource or requirement, the amount shown should be the new total amount. The amounts in the "Revised Total Fund Resources" and "Revised Total Fund Requirements" boxes should be the new total for the fund. In the explanation of changes area, explain the reason for the adjustment and identify the organizational units or programs associated with the expenditures being adjusted. See example below.

Publication

Publish this form at least one time, not less than **five days** before the supplemental budget hearing. You may publish in a newspaper of general circulation in the district, by mailing by first class mail to every mailing address in the district, or by hand delivery to every street address in the district.

Amounts being changed don't necessarily add up to new total in fund.

Show new total for object classification.

SUMMARY OF PROPOSED BUDGET CHANGES				
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED				
FUND: General Fund				
	Resource	Amount	Expenditure—indicate Org. unit / Prog. & Activity, and Object class.	Amount
1.	Grant	\$25,000	1.Admin.—Personnel services	\$392,430
2.			2. Contingency	\$130,450
3.			3.	
Revised Total Fund Resources		\$3,810,385	Revised Total Fund Requirements	
			\$3,810,385	

Explanation of changes: Sample City has received a \$25,000 operating grant and is transferring \$15,000 from contingency to increase the Administration department personnel services expenditure by \$40,000 to fund one part-time enforcement officer. These changes increase the total personnel services expenditure from \$352,430 to \$392,430 and decreases the contingency from \$145,450 to \$130,450.

Show new total resources and requirements for fund (must balance).

Percent of Property Taxes Collected, by County

This percentage is the portion of current year property taxes collected in each of the last five years. You may use this percentage to estimate the amount of property tax revenue you will receive as a budget resource. For example, if 92.2 percent is collected, then 7.8 percent would be lost to discounts and other uncollected amounts. ($100\% - 92.2\% = 7.8\%$). Multiply your tax rate (per \$1,000) times the assessed value in your district divided by \$1,000, and then multiply the result by the figure from the chart below to get the estimated amount your rate will raise for your budget.

***The collection rate do not reflect the potential refund credits in that fiscal year. Please contact the county assessor for more details. (See ORS 305.286)**

County	2016-17	2017-18	2018-19*	2019-20*	2020-21*
Baker	94.7%	94.1%	95.1%	95.2%	95.5%
Benton	95.2%	95.9%	96.0%	95.9%	96.1%
Clackamas	95.5%	95.4%	95.9%	95.8%	95.9%
Clatsop	94.3%	94.3%	94.3%	94.2%	95.2%
Columbia	94.2%	94.1%	94.5%	94.8%	95.1%
Coos	93.2%	93.3%	93.6%	93.7%	93.9%
Crook	94.3%	94.3%	94.9%	94.1%	95.5%
Curry	93.7%	93.9%	94.4%	94.0%	94.8%
Deschutes	95.7%	96.1%	96.1%	96.1%	96.4%
Douglas	93.5%	93.8%	94.1%	94.3%	94.4%
Gilliam	96.3%	95.9%	95.9%	95.8%	96.3%
Grant	92.9%	92.9%	93.1%	92.8%	93.8%
Harney	92.7%	92.9%	92.9%	92.7%	94.1%
Hood river	95.3%	95.4%	94.9%	94.5%	95.2%
Jackson	94.9%	95.1%	95.2%	95.3%	95.7%
Jefferson	95.0%	94.8%	94.5%	94.5%	95.1%
Josephine	94.3%	94.5%	94.7%	94.7%	95.0%
Klamath	93.2%	93.2%	93.4%	93.3%	93.8%
Lake	93.1%	93.4%	92.5%	93.3%	94.2%
Lane	94.8%	95.6%	95.6%	95.4%	95.7%
Lincoln	94.3%	94.3%	94.6%	94.6%	95.4%
Linn	94.1%	94.8%	94.8%	94.8%	95.2%
Malheur	94.3%	94.5%	94.5%	94.9%	95.0%
Marion	95.2%	95.1%	95.3%	95.3%	95.5%
Morrow	95.7%	94.2%	95.7%	95.9%	96.1%
Multnomah	95.5%	95.8%	95.9%	95.8%	96.0%
Polk	94.4%	94.6%	95.5%	95.7%	95.8%
Sherman	96.0%	96.3%	96.2%	96.4%	96.6%
Tillamook	94.8%	95.0%	94.8%	95.0%	95.5%
Umatilla	94.2%	94.7%	94.5%	95.0%	95.3%
Union	93.9%	94.6%	94.3%	94.5%	94.8%
Wallowa	94.5%	94.4%	94.2%	94.8%	95.6%
Wasco	94.3%	94.4%	94.6%	94.8%	95.2%
Washington	95.7%	96.2%	96.2%	96.2%	96.3%
Wheeler	90.7%	88.9%	86.2%	91.4%	93.9%
Yamhill	94.2%	94.6%	94.7%	95.1%	95.3%
Statewide	95.1%	95.4%	95.6%	95.6%	95.8%

Oregon Department of Revenue Research Section 10/04/21