

# Statutory and Administrative Rule References

## ORS/OAR

### I. Time of Making Budget

- A. Budget message.

294.408

### II. Budget Officer

- A. Appointed by the governing body. 294.331
- B. Under supervision of executive officer or governing body. 294.331
- C. Prepares or supervises preparation of budget. 294.331
- D. Publishes notice of meeting of budget committee including notice of where a copy of the budget is available. 294.426(3)(a)
  - If published only in a newspaper 294.426(5)
    - of general circulation, the notice is published twice between five to 30 days before the meeting. If published once in a newspaper of general circulation, the notice is also published on the district's website, and the website address is included in the newspaper publication. If published by mailing or hand delivery, the notice is published not later than 10 days before the meeting.
- E. Provides copy of budget to committee. 294.426(2)&(6)
- F. Files copy of budget in office of governing body immediately following presentation of budget to committee. 294.426(7)

### III. Budget Document

- A. Coming year budget shown: 294.358
  - 1. Proposed
  - 2. Approved
  - 3. Adopted
- B. Current year budget shown. 294.358
- C. First preceding year actual resources **and** expenditures. 294.358
- D. Second preceding year actual resources **and** expenditures. 294.358
- E. Each fund to contain estimates of expenditures for: 150-294.388
  - 1. Personal services 294.388
  - 2. Materials and services 294.388
  - 3. Capital outlay 294.388
  - 4. Special payments and interfund transfers 294.388
  - 5. General operating contingencies 294.388

### IV. Budget Resources

- A. Estimate of beginning cash balances for the ensuing year. 294.361(2)
- B. Estimate for delinquent tax collection included if fund has been tax-supported. 294.361(2)(k)
- C. Transfers budgeted as requirements in other funds. 294.361(2)(q)
- D. Resources must be equal to requirements. 294.388(1)  
150-294.352(1)(B)

E. Excess of actual revenues over actual expenditures in second preceding year must equal the beginning balance in first preceding year.

## **V. Debt Service Fund**

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|---|------------------------|
| A. Principal and interest payments identified for each bond issue.  | 294.388(6)             |
| B. Requirement shown in unappropriated ending fund balance.<br>(For payments between end of coming fiscal year and receipt of taxes in second coming year.) | 294.398<br>150-294.398 |

## **VI. Budget Committee**

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|--|------------|
| A. A budget committee is established by each local government subject to Local Budget Law.   | 294.414(1) |
| B. Committee shall consist of the members of the governing body and an equal number of qualified electors.   | 294.414(2) |
| C. Committee shall at its first meeting elect a presiding officer from its members.  | 294.414(9) |
| D. The purpose of the budget committee is to receive the budget document and budget message, and to provide the public with an opportunity to ask questions and comment on the budget. | 294.426(1) |
| E. Duty of the committee to review, or revise and approve the budget document.   | 294.428(1) |
| F. Committee may compel any official or employee of the municipality to furnish information regarding the budget.  | 294.428(3) |

## **VII. Financial Summary**

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|---|------------|
| A. Publish Financial Summary, LB-1, UR-1, CC-1 or ED-1 five to 30 days prior to the public hearing. | 294.438(1) |
| B. Summary of indebtedness is shown on Form LB-1, UR-1, or ED-1.                                    | 294.438(7) |

## **VIII. Publication of Notice of Budget Hearing**

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| A. Notice of budget hearing advertised five to 30 days prior to hearing.  | 294.448(2) |
| B. If budget requirements do not exceed \$100,000 and no newspaper is published in district, the financial summary and notice of hearing can be posted for at least 20 days prior to the hearing. | 294.448(1) |

## **IX. After Public Hearing of Budget**

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| A. Changes, if made after hearing, cannot increase estimated expenditures of any fund more than \$5,000 or 10 percent, whichever is greater, of the amounts approved by the budget committee. | 294.456(1)(c)(A) |
| B. Budget adopted prior to June 30.   | 294.408          |

C. Levy the taxes. 294.456(1)  
150-294.456(1)-(A)

D. Make appropriations: 294.456(3)  
150-294.456(3)

1. By organizational unit or program for personnel services, materials and services, and capital outlay.
2. When not allocated to organizational unit or program by:
  - a. personnel services
  - b. materials and services
  - c. capital outlay
  - d. special payments
  - e. transfers
  - f. general operating contingency
  - g. debt service

### **X. Certify Tax to Assessor by July 15**

- A. Two copies of the notice of tax; LB-50, UR-50, or ED-50. 150-310.060(A)  
294.458(3)(a)  
310.060(2)  
294.456(1)(c)  
150-294.456(1)-(A)  
310.060(2)(b), (c)
1. Total tax certified cannot exceed amount approved by the budget committee.
  2. Local option taxes are detailed on LB-50 or ED-50 showing:
    - a. Purpose of tax.
    - b. Date of approval by voters.
    - c. Total amount or rate to be imposed.
    - d. Amount to be imposed each year.
    - e. First year of tax.
    - f. Last year of tax.
  3. Levies for the payment of bond principal and interest. 310.060(2)(d), (e)
  4. Categorization of tax. 294.458(3)(c)
- B. Two copies of the resolutions adopting the budget, making appropriations, levying tax, and categorizing tax. 294.458(3);  
310.060(1)
- C. Two copies of successful tax ballot measures. 150-294.458(3)-(a),(c)
- D. File a copy of the budget with the county clerk by September 30. 294.458(5)
- E. School districts file a budget with the county Educational Service District (ESD) and State Department of Education.

### **XI. Supplemental Budgets**

150-294.480

- A. One or more of the following circumstances must exist:
1. An occurrence, condition or need which had not been ascertained 294.471(1)(a)&(b)  
at the time the budget was adopted.
  2. Funds were made available by another unit of federal, state 294.471(1)(c)&(d)  
or local government or the costs are to be born by a private individual corporation or company, and the availability of funds could not have been known at the time the budget was adopted.

3. Proceeds from the involuntary destruction, involuntary conversion, or sale of property has necessitated the immediate purchase, construction, or acquisition of different facilities in order to carry on the government operation.	294.471(1)(e)
4. Ad valorem taxes are received during the fiscal year in an amount greater than the amount estimated to be collected.	294.471(1)(f)
5. A reduction in available resources that requires reduced appropriations.	294.471(1)(h)
B. A supplemental budget shall not authorize any levy of taxes.	294.471(4)
C. A supplemental budget shall not extend beyond the end of the fiscal year during which it is submitted.	294.471(2)

## **XII. Other**

A. Interfund Transfers.	294.463
	150-294.463(3)
1. Transfers may be made between appropriations within a fund by board resolution.	294.463(1)
2. Contingency appropriation transfers not to exceed 15 percent of total fund without supplemental budget.	294.463(2)
3. Transfers of appropriations, or appropriations and a like amount of resources, may be made from the general fund to any other fund by board resolution.	294.463(3)
B. Expenditures outside of the budget.	294.338
1. Specific purpose grants or gifts.	294.338(2)
2. Unforeseen occurrence with non-tax funds.	294.338(3)
3. Bond exceptions.	294.338(4)&(5)
4. Bond redemptions expenditures.	294.338(5)
5. Expenditure of assessments for local improvements.	294.338(6)
6. Payment of deferred compensation.	294.338(7)
7. Refunds when purchased items are returned.	294.338(9)
8. Newly formed municipal corporations.	294.338(10)
C. Interfund loans.	294.468
D. Elimination of unnecessary fund.	294.353
E. Major emergencies or public calamities.	294.481
F. Basis of accounting.	294.333
1. Cash	
2. Accrual	
3. Modified Accrual	