

**STEPS NECESSARY FOR THE ADOPTION AND IMPLEMENTATION OF AN
ANNUAL BUDGET AND AMENDMENT OF THE BUDGET
FOR POLITICAL SUBDIVISIONS**

- 1) Each political subdivision shall cause to be prepared a comprehensive budget presenting a complete financial plan for each fiscal year for the general fund and each special revenue fund.
 - The chief executive or administrative officer of the political subdivision shall prepare the proposed budget.
 - A budget message signed by the budget preparer for the general fund and each special revenue fund shall include a summary description of the proposed financial plan, policies and objectives, assumptions, budgetary basis, and a discussion of the most important features. **R.S. [39:1305](#)**.

- 2) The budget document shall include a statement for the general fund and each special revenue fund showing:
 - Estimated fund balances at beginning of year;
 - Estimate of all receipts and revenues to be received;
 - The revenue itemized by source;
 - The recommended expenditures itemized by department, function and character;
 - The other funding sources and uses;
 - The estimated fund balance at the end of the fiscal year;
R.S. [39:1305\(C\)\(2\)\(a\)](#)
 - A clearly presented side-by-side detailed comparison of such information for the current year, including the fund balances at the beginning of the year, year-to-date actual receipts and revenues received and estimates of all receipts and revenues to be received the remainder of the year; estimated and actual revenues itemized by source; year-to-date actual expenditures and estimates of all expenditures to be made the remainder of the year itemized by agency, department, function, and character; other financing sources and uses by source and use, both year-to-date actual and estimates for the remainder of the year; the year-to-date actual and estimated fund balances as of the end of the fiscal year; and the percentage change for each item of information. R.S. 39:1305(C)(2)(a) Added by Act 966 of the 2010 Regular Session.

**STEPS NECESSARY FOR THE ADOPTION AND IMPLEMENTATION OF AN
ANNUAL BUDGET AND AMENDMENT OF THE BUDGET
FOR POLITICAL SUBDIVISIONS – Cont'd**

- 3) A budget proposed for consideration by the governing authority shall be accompanied by a proposed budget adoption instrument. The budget adoption instrument for independently elected parish offices shall consist of a letter from the independently elected official authorizing the implementation of the adopted budget. The budget adoption instrument for any municipality, parish, school board, or special district shall be an appropriation ordinance, adoption resolution, or other legal instrument necessary to adopt and implement the budget document. **The Lawrason Act requires that the adoption of the budget must be accomplished by ordinance (R.S. [33:406\(A\)\(3\)](#))**. The adoption instrument shall define the authority of the chief executive and administrative officers of the political subdivision to make changes within various budget classifications without approval by the governing authority, as well as those powers reserved solely to the governing authority. **R.S. [39:1305\(D\)](#)**
- 4) The political subdivision's budget shall be completed and submitted to the governing authority of that political subdivision and made available for public inspection no later than 15 days prior to the beginning of each fiscal year, except for parishes. Parish budgets shall be made available for public inspection prior to the 15th day of the fiscal year for which the budget is applicable. **R.S. [39:1306\(A\)\(2\)](#)**
- 5) The special public participation rules for political subdivisions that propose to spend \$500,000 or more from the general fund and any special revenue fund. **R.S. [39:1307](#)**:
 - Give Notice via Publication that the budget is available for inspection;
 - Give Notice via Publication of Public Hearing – Notice should be given at least 10 days prior to the hearing;
 - Give Notice via Publication in the Official Journal;
 - Must have at least 1 Public Hearing; and
 - After Public Hearing certify completion by Publication.

The budget procedures for political subdivisions that propose to spend less than \$500,000. **R.S. [39:1307](#)**:

All of the initial budget procedures required under the LGBA apply to political subdivisions that propose to spend less than \$500,000. Entities that do not meet the threshold do not have to advertise as required under R.S. [39:1307](#). All other public participation [rules](#) apply including the adoption of the budget and amendments in an open meeting and the opportunity for public inspection. See AG Op. Nos. 87-0190, 89-0512 and 08-0254 for comment.

- 6) The political subdivision shall cause to be published a notice stating that the proposed budget is available for public inspection at the office of the individual political subdivision. The notice shall state that a public hearing on the budget shall be held with a date, time, and place of hearing specified in the notice. The notice shall be published at least 10 days prior to the public hearing. **R.S. [39:1307\(B\)](#)**
- 7) At least one public hearing must be conducted on the budget proposal. **R.S. [39:1307\(C\)](#)**
- 8) The political subdivision shall certify completion of public participation by publishing a notice in the official journal. **R.S. [39:1307\(D\)](#)**
- 9) The political subdivision shall adopt a budget in open meeting before the end of the prior fiscal year, except for a parish. A parish shall adopt a budget in an open meeting prior to the 30th day of the fiscal year for which the budget is applicable. **R.S. [39:1309\(A\)](#)**
- 10) The adopted budget shall be balanced with approved expenditures not exceeding the total of estimated funds available. **R.S. [39:1309\(B\)](#)**
- 11) The adopted budget shall contain the same information as the proposed budget. **R.S. [39:1309\(C\)](#)**
- 12) Upon adoption, certified copies of the budget and adoption instrument shall be transmitted to and retained by the chief executive or administrative officer. **R.S. [39:1309\(D\)](#)**

AMENDING A FINALIZED BUDGET

Amendment to the adopted budget is required if:

- Total revenues fail to meet total budgeted revenue by 5% or more, and/or
- Total actual expenditures exceed total budgeted expenditures by 5% or more, or
- There has been a **change in operation** upon which the original adopted budget was developed.
 - Any increase, decrease, addition, or deletion of allocations should be made through amendment to the adopted budget.

The political subdivision shall adopt a budget amendment in an open meeting to reflect such change.

In no event shall a budget amendment be adopted proposing expenditures which exceed the total of estimated funds available for the fiscal year. **R.S. [39:1310](#)**
See [AG Op. No. 09-0152](#) for a discussion of amending the budget.