

HOUSE BILL NO. 699

INTRODUCED BY S. GUNDERSON

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LOCAL GOVERNMENT BUDGET LAWS; CLARIFYING THAT A SHERIFF SHALL APPROVE ALL EXPENDITURES IN THE SHERIFF'S BUDGET THAT WERE ADOPTED BY THE GOVERNING BODY; AND AMENDING SECTIONS 7-4-2110 AND 7-6-4030, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-4-2110, MCA, is amended to read:

"7-4-2110. Supervision of county and other officers. The board of county commissioners has jurisdiction and power, under the limitations and restrictions that are prescribed by law, to:

- (1) except as provided in 7-6-4030(5), supervise the official conduct of all county officers and officers of all districts and other subdivisions of the county charged with assessing, collecting, safekeeping, managing, or disbursing public revenue;
- (2) see that the officers faithfully perform their duties;
- (3) direct prosecutions for delinquencies;
- (4) when necessary, require the officers to renew their official bonds, make reports, and present their books and accounts for inspection; and
- (5) require the officers to supervise staff in a manner that complies with personnel policies and procedures adopted by the county governing body."

Section 2. Section 7-6-4030, MCA, is amended to read:

"7-6-4030. Final budget -- resolution -- appropriations. (1) The governing body may amend the preliminary budget after the public hearing and after considering any public comment.

- (2) The amended budget constitutes the final budget. The final budget must be balanced so that appropriations do not exceed the projected beginning balance plus the estimated revenue of each fund for the fiscal year.

- 1 (3) The governing body shall adopt the final budget by resolution. The resolution must:
- 2 (a) authorize appropriations to defray the expenses or liabilities for the fiscal year; and
- 3 (b) establish legal spending limits at the level of detail in the resolution.
- 4 (4) The effective date of the resolution is July 1 of the fiscal year, even if the resolution is adopted
- 5 after that date.

6 (5) After the final budget for the office of the sheriff is approved by the governing body, the sheriff
7 shall manage and approve all expenditures of each fund within the sheriff's budget set by the governing body,
8 and the governing body may not require approval of an expenditure."

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