

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 273

Short Title: Local Government Budget Hearings. (Public)

Sponsors: Representatives Winslow and Balkcom (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Local Government, if favorable, Rules, Calendar, and Operations of the House

March 7, 2023

A BILL TO BE ENTITLED
AN ACT TO REQUIRE ADDITIONAL BUDGET HEARINGS UNDER THE LOCAL
GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 159-12 reads as rewritten:
"§ 159-12. Filing and publication of the budget; budget hearings.

(a) On the same day that ~~he~~ the budget officer submits the budget to the governing board, the budget officer shall file a copy of ~~it~~ the proposed budget ordinance in the office of the clerk to the ~~board~~ governing board, along with a budget message, where ~~it~~ both shall remain available for public inspection until the budget ordinance is adopted. The budget message shall include a general description of the proposed budget, all proposed tax rates and the change in those rates from the prior budget ordinance, all proposed fees and the change in those fees from the prior adopted fees, and other synopsis information the budget officer deems important. The clerk shall make a copy of the budget and budget message available to all news media in the county.

(a1) ~~He~~ The budget officer shall also publish a statement that the budget has been submitted to the governing board, and is available for public inspection in the office of the clerk to the governing board. The statement shall also give notice of the time and place of the budget ~~hearing~~ hearings required by subsection (b) of this section.

(b) Before adopting the budget ordinance, the governing board shall hold ~~a~~ at least two public ~~hearing~~ hearings on the proposed budget ordinance on separate dates at which time any persons who wish to be heard on the budget may appear. At least one of the required public hearings shall provide the public with detailed revenue information, including at least the following information for the prior two fiscal years:

(1) The tax rate.

(2) The tax base.

(3) The tax collection rate.

(4) With respect to each public enterprise fund:

a. Rates charged.

b. Any amounts transferred to the public enterprise fund from the general fund.

c. Any amounts transferred from the public enterprise fund to the general fund.

d. Any debt service payments paid by the public enterprise fund and the estimated completion date of those debt service payments.



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(c) If the proposed budget ordinance raises the tax rate from the previous fiscal year's budget ordinance, the governing board shall so notify every property owner in the jurisdiction of the governing board in writing by mail with the United States Postal Service at least 10 days prior to the date of the public hearing dedicated to the revenue portion of the proposed budget ordinance. Such mailing shall include all of the following:

(1) The date, time, and location of the public hearing.

(2) The contact information of the governing board.

(3) An explanation of how to access a copy of the proposed budget ordinance.

(d) If the proposed budget ordinance raises the rates charged by a public enterprise fund or proposes a transfer of any amount from the general fund to the public enterprise fund, the governing board shall so notify every user of the public enterprise fund in writing by mail with the United States Postal Service at least 10 days prior to the date of the public hearing dedicated to the revenue portion of the proposed budget ordinance. For purposes of this subsection, a rise in the rates shall include an increase in the rate and a change in base rates. Such mailing shall include all of the following:

(1) The date, time, and location of the public hearing.

(2) The contact information of the governing board.

(3) An explanation of how to access a copy of the proposed budget ordinance.

(e) Notwithstanding subsection (b) of this section, any unit of local government with a population of less than 2,000 persons according to the last federal decennial census shall be required to conduct only one public hearing on the proposed budget ordinance. Notwithstanding subsection (b) of this section, if the Commission has exercised its authority under G.S. 159-181(c) or (d), the Commission shall conduct at least one public hearing as required by subsection (b) of this section but may waive any additional public hearings required by this section."

SECTION 2. Except as otherwise provided, this act becomes effective July 1, 2024, and applies to budgets adopted on or after that date.