

BILL ANALYSIS

C.S.H.B. 2740
By: Quintanilla
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Local Government Code, Section 111.031, Subchapter B relates to budget preparation in counties with population of more than 225,000. Currently section 111.033 requires for the preparing the annual budget on the first day of each fiscal year and states "On or immediately after the first day of each fiscal year, the county auditor shall prepare a budget to cover the proposed expenditures of the county government for that fiscal year". Budget preparation on or immediately after the first day of each fiscal year, when interpreted literally, prohibits timely filing of the county budget with the County Clerk as provided in 111.037(b) and delays the conducting of a public budget hearing and adoption of the budget pursuant to 111.038 to on or immediately after the first day of each fiscal year.

C.S.H.B. 2740 provides flexibility to counties with populations greater than 225,000 in preparing, filing and adoption of the County budget. The intent here is to provide counties operating under Subchapter B a 30-day window prior to the first day of each fiscal year for preparing, filing and adoption of the proposed budget. This change is not intended to mandate that any affected county prepare, file or adopt the county budget within 30 days prior to the first day of each fiscal year.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2740 states that within 30 days before the first day of each fiscal year or on or immediately after that first day, the county auditor shall prepare a budget to cover the proposed expenditures of the county government for that fiscal year.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute moves the language "on or immediately after that first day" to later in the sentence, resulting in no effect on the code.