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A bill to be entitled 1 An act relating to local government budgets; amending s. 2 3 129.02, F.S.; providing definitions; requiring detailed budget; providing budget criteria; requiring budget 4 5 message; amending s. 129.021, F.S.; requiring compliance by county officers with detailed budget requirement; 6 7 amending s. 129.03, F.S.; requiring notice of increase or decrease in budgeted accounts in published summary and 8 9 requiring online availability of summary under certain circumstances; requiring online availability of budgets 10 under certain circumstances; amending s. 166.241, F.S.; 11 providing definitions; requiring online availability of 12 budgets under certain circumstances; requiring detailed 13 budget of municipalities; providing budget criteria; 14 requiring budget message; requiring budget to be filed as 15 16 public record with a designated public office within boundaries of municipality; requiring summary statement to 17 be published and requiring online availability of summary 18 under certain circumstances; amending s. 189.418, F.S.; 19 providing definitions; requiring detailed budget of 20 special districts; providing budget criteria; requiring 21 budget message; requiring budget to be filed as public 22 record in designated public office within or near special 23 24 district boundaries; requiring online availability of 25 budgets under certain circumstances; requiring summary 26 statement to be published and requiring online availability of summary under certain circumstances; 27 providing an effective date. 28

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29			
30	Be It Enacted by	the Legislature of the State of	of Florida:
31			
32	Section 1.	Section 129.02, Florida Statut	ces, is amended to
33	read:		
34	129.02 Req	uisites of budgetsEach budge	et shall conform
35	to the following	specific directions and requin	rements:
36	(1) DEFINI	TIONSAs used in this section	n, the term:
37	(a) "Fund"	means a fiscal and accounting	entity with a
38	self-balancing s	et of accounts which are record	led and segregated
39	to carry on spec	ific activities or to attain ce	ertain objectives
40	in accordance wi	th special regulations, restric	ctions, or
41	limitations.		
42	(b) "Objec	t of expenditure" means the cla	assification of
43	fund data by cha	racter of expenditure. "Object	of expenditure"
44	includes, but is	not limited to, personal serve	ices, purchased
45	services, debt s	ervice, supplies, capital outla	ay, grants, and
46	transfers.		
47	(c) "Spend	ing entity," as designated by t	the county, means
48	any office, unit	, department, board, commissior	n, or institution
49	which is respons	ible for any particular expend	itures or
50	receipts.		
51	(<u>2</u> +) <u>(a)</u> G	eneral fund budget shall conta	in an estimate of
52	receipts by sour	ce, including any taxes now or	hereafter
53	authorized by la	w to be levied for any countywa	ide purpose,
54	except those cour	ntywide purposes provided for i	in the budgets
55	enumerated below	, any tax millage limitation to	o the contrary
56	notwithstanding,	and including any balance brow	ught forward as
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57	provided herein; and an itemized estimate of expenditures that
58	will need to be incurred to carry on all functions and
59	activities of the county government now or hereafter authorized
60	by law, except those functions and activities provided for in
61	the budgets enumerated below, and of unpaid vouchers of the
62	general fund; also of the reserve for contingencies and of the
63	balances, as hereinbefore provided, which should be carried
64	forward at the end of the year. Further, the budget shall
65	present a complete financial plan by fund and by spending entity
66	within each fund for the fiscal year and shall set forth the
67	following:
68	1. All proposed expenditures for administration,
69	operations, maintenance, debt service, and capital projects
70	to be undertaken or executed by any spending entity during
71	the fiscal year;
72	2. Estimated beginning and ending fund balances;
73	3. The corresponding actual figures for the prior
74	fiscal year, estimated figures projected through the end of
75	the current fiscal year, including disclosure of all
76	beginning and ending fund balances, consistent with the
77	basis of accounting used to prepare the budget, and
78	projections for the next fiscal year;
79	4. Explanatory schedules or statements classifying
80	the objects of expenditure and the receipts by source; and
81	5. The unreserved undesignated fund balance, of not more
82	than ten (10.0%) percent of operating expenses, necessary to
83	secure and maintain investment grade credit ratings, meet
84	seasonal shortfalls in cash flow, and reduce susceptibility to
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85 emergency or unanticipated expenditures or to revenue 86 shortfalls. Any remaining fund balance shall not be used to increase expenditures within the budget, but shall be carried 87 forward to the next fiscal year in furtherance of the fund. 88 89 (b) A county shall prepare a written budget message, not to exceed four pages, describing the important features of the 90 91 proposed budget. The message shall include an overview of the 92 county, a description of the previous fiscal year's performance, 93 a review of the current fiscal year's revenues and expenditures, and an economic outlook and future challenges or objectives 94 description. The message must include within it a statement of 95 the budgetary basis of accounting used and a description of the 96 services to be delivered during the fiscal year. The County 97 98 shall make the message available to county residents and post 99 the message prominently online if the county has web capability.

100 (32) The County Transportation Trust Fund budget shall contain an estimate of receipts by source and balances as 101 provided herein, and an itemized estimate of expenditures that 102 103 need to be incurred to carry on all work on roads and bridges in the county except that provided for in the capital outlay 104 105 reserve fund budget and in district budgets pursuant to this chapter, and of unpaid vouchers of the County Transportation 106 107 Trust Fund; also of the reserve for contingencies and the 108 balance, as hereinbefore provided, which should be carried 109 forward at the end of the year.

(<u>4</u>-3) The budget for the county fine and forfeiture fund
 shall contain an estimate of receipts by source and balances as
 provided herein, and an itemized estimate of expenditures that

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need to be incurred to carry on all criminal prosecution, and all other law enforcement functions and activities of the county now or hereafter authorized by law, and of indebtedness of the county fine and forfeiture fund; also of the reserve for contingencies and the balance, as hereinbefore provided, which should be carried forward at the end of the year.

119 (54) (a) Capital outlay reserve fund budget shall contain an estimate of receipts by source, including any taxes 120 121 authorized by law to be levied for that purpose, and including any balance brought forward as provided for herein; and an 122 itemized estimate of expenditures for capital purposes to give 123 effect to general improvement programs. It shall be a plan for 124 the expenditure of funds for capital purposes, showing as income 125 the revenues, special assessments, borrowings, receipts from 126 sale of capital assets, free surpluses, and down payment 127 128 appropriation to be applied to the cost of a capital project or projects, expenses of issuance of obligations, engineering, 129 supervision, contracts, and any other related expenditures. It 130 131 may contain also an estimate for the reserves as hereinbefore provided and for a reserve for future construction and 132 133 improvements. No expenditures or obligations shall be incurred for capital purposes except as appropriated in this budget, 134 except for the preliminary expense of plans, specifications and 135 estimates. 136

(b) Under the provision herein set forth, a separate
capital budget may be adopted for each special district included
within the county budget, or a consolidated capital budget may
be adopted providing for the consolidation of capital projects

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of the county and of the special districts included within the county budget into one budget, treating borrowed funds and other receipts as special revenue earmarked for capital projects as separately itemized appropriation for each district special project or county project, as the case may be.

Any funds in the capital budget not required to meet 146 (C) 147 the current construction cost of any project may be invested in any securities of the Federal Government or in securities of any 148 149 county of the state pledging the full faith and credit of such county or pledging such county's share of the gas tax provided 150 151 for in s. 16 of Art. IX of the Constitution of 1885 as adopted by the 1968 revised constitution or in s. 9, Art. XII of said 152 revision. 153

154 A bond interest and sinking fund budget shall be made (65) 155 for each county and for each special district included within 156 the county budget having bonds outstanding. The budget shall contain an estimate of receipts by source, including any taxes 157 158 authorized by law to be levied for that purpose, and including 159 any balances brought forward as provided herein; and an itemized estimate of expenditures and reserves as follows: The bond 160 161 interest and principal maturities in the year for which the 162 budget is made shall be determined and estimates for expenses connected with the payments of such bonds and coupons, 163 commissions of the tax collector, and of the property appraiser, 164 and expenses of refunding operations, if any are contemplated, 165 shall be appropriated. A sufficient "cash balance to be carried 166 over" may be reserved as set forth hereinbefore. The sinking 167 fund requirements provided for in the said reserve may be 168 Page 6 of 18

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169 carried over either in cash or in securities of the Federal
170 Government and of the local governments in Florida, or both.
171 (76) For each special district included within the county

172 budget, the operating fund budget shall contain an estimate of receipts by source and balances as provided herein, and an 173 174 itemized estimate of expenditures that will need to be incurred 175 to carry on all functions and activities of the special district as now or hereafter provided by law and of the indebtedness of 176 177 the special district; also of the reserves for contingencies and the balances, as hereinbefore provided, which should be carried 178 forward at the end of the year. 179

180 Section 2. Section 129.021, Florida Statutes, is amended181 to read:

182 129.021 County officer budget information.-183 Notwithstanding other provisions of law, the budgets of all
184 county officers, as submitted to the board of county
185 commissioners, shall be in sufficient detail and contain such
186 information as the board of county commissioners may require in
187 furtherance of their powers and responsibilities provided in ss.
188 125.01(1)(q) and (r) and (6), and 129.01(2)(b), and 129.02(2).

189 Section 3. Paragraph (b) of subsection (3) of section190 129.03, Florida Statutes, is amended to read:

191

129.03 Preparation and adoption of budget.--

(3) No later than 15 days after certification of value by
the property appraiser pursuant to s. 200.065(1), the county
budget officer, after tentatively ascertaining the proposed
fiscal policies of the board for the ensuing fiscal year, shall
prepare and present to the board a tentative budget for the

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197 ensuing fiscal year for each of the funds provided in this 198 chapter, including all estimated receipts, taxes to be levied, 199 and balances expected to be brought forward and all estimated 200 expenditures, reserves, and balances to be carried over at the 201 end of the year.

202 Upon receipt of the tentative budgets and (b) 203 completion of any revisions made by the board, the board 204 shall prepare a statement summarizing all of the adopted 205 tentative budgets. This summary statement shall show, for 206 each budget and the total of all budgets, the proposed tax 207 millages, the balances, the reserves, and the total of each major classification of receipts and expenditures, 208 classified according to the classification of accounts 209 210 prescribed by the appropriate state agency, and a brief explanation of any increase or decrease by account. The 211 212 board shall cause this summary statement to be advertised one time in a newspaper of general circulation published in 213 the county, or by posting at the courthouse door if there 214 215 is no such newspaper, and the advertisement shall appear adjacent to the advertisement required pursuant to s. 216 217 200.065. For those counties that have websites, the county shall make the summary statement available online when 218 219 published in the newspaper.

(c) The board shall hold public hearings to adopt tentative and final budgets pursuant to s. 200.065. The hearings shall be primarily for the purpose of hearing requests and complaints from the public regarding the budgets and the proposed tax levies and for explaining the budget and proposed Page 8 of 18

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225	or adopted amendments thereto, if any. The tentative budgets,
226	adopted tentative budgets, and final budgets shall be filed in
227	the office of the county auditor as a public record. <u>For those</u>
228	counties that have websites, the tentative budgets, adopted
229	tentative budgets, and final budgets shall be made available
230	online when filed with the county auditor. Sufficient reference
231	in words and figures to identify the particular transactions
232	shall be made in the minutes of the board to record its actions
233	with reference to the budgets.
234	Section 4. Section 166.241, Florida Statutes, is amended
235	to read:
236	166.241 Fiscal years, appropriations, budgets, and budget
237	amendments
238	(1) DEFINITIONSAs used in this section, the term:
239	(a) "Fund" means a fiscal and accounting entity with a
240	self-balancing set of accounts which are recorded and segregated
241	to carry on specific activities or to attain certain objectives
242	in accordance with special regulations, restrictions, or
243	limitations.
244	(b) "Object of expenditure" means the classification of
245	fund data by character of expenditure. "Object of expenditure"
246	includes, but is not limited to, personal services, purchased
247	services, debt service, supplies, capital outlay, grants, and
248	transfers.
249	(c) "Spending entity," as designated by the municipality,
250	means any office, unit, department, board, commission, or
251	institution which is responsible for any particular expenditures
252	or revenues.

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253 (<u>2</u>+) Each municipality shall make provision for
254 establishing a fiscal year beginning October 1 of each year and
255 ending September 30 of the following year.

(32) The governing body of each municipality shall adopt a 256 257 budget each fiscal year. The budget shallmust be adopted by 258 ordinance or resolution unless otherwise specified in the 259 respective municipality's charter. The amount available from taxation and other sources, including amounts carried over from 260 261 prior fiscal years, must equal the total appropriations for expenditures and reserves. The budget shallmust regulate 262 expenditures of the municipality, and it is unlawful for any 263 officer of a municipal government to expend or contract for 264 expenditures in any fiscal year except in pursuance of budgeted 265 266 appropriations. The tentative budgets, adopted tentative budgets, and final budgets shall be filed at a designated public 267 268 office within the boundaries of the municipality as a public 269 record. For those municipalities that have websites, the 270 tentative budgets, adopted tentative budgets, and final budgets 271 shall be made available online when filed with the designated public office. 272

273 (4) (a) The budget shall present a complete financial plan
274 by fund and by spending entity within each fund for the fiscal
275 year and shall set forth the following:

276 <u>1. All proposed expenditures for administration,</u> 277 <u>operations, maintenance, debt service, and capital projects</u> 278 <u>to be undertaken or executed by any spending entity during</u> 279 <u>the fiscal year;</u> 280 <u>2. Anticipated revenues for the fiscal year;</u>

2. Anticipated revenues for the fiscal y

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PCB GEAC 08-24 ORIGINAL YEAR 281 3. Estimated beginning and ending fund balances; 282 4. The corresponding actual figures for the prior 283 fiscal year, estimated figures projected through the end of the current fiscal year, including disclosure of all 284 285 beginning and ending fund balances, consistent with the 286 basis of accounting used to prepare the budget, and 287 projections for the next fiscal year; 288 Explanatory schedules or statements classifying 5. 289 the objects of expenditure and the revenues by source; and 290 6. The unreserved undesignated fund balance, of not more 291 than ten (10.0%) percent of operating expenses, necessary to 292 secure and maintain investment grade credit ratings, meet seasonal shortfalls in cash flow, and reduce susceptibility to 293 294 emergency or unanticipated expenditures or to revenue shortfalls. Any remaining fund balance shall not be used to 295 296 increase expenditures within the budget, but shall be carried 297 forward to the next fiscal year in furtherance of the fund. 298 (b) A municipality shall prepare a written budget message, 299 not to exceed four pages, describing the important features of the proposed budget. The message shall include an overview of 300 301 the municipality, a description of the previous fiscal year's 302 performance, a review of the current fiscal year's revenues and 303 expenditures, and an economic outlook and future challenges or objectives description. The message must include within it a 304 statement of the budgetary basis of accounting used and a 305 306 description of the services to be delivered during the fiscal 307 year. The municipality shall make the message available to

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308	municipal residents and post the message prominently online if	
309	the municipality has web capability.	
310	(5) Upon receipt of the tentative budgets of each	
311	spending entity and completion of any revisions made by the	
312	municipality, the municipality shall prepare a statement	
313	summarizing all of the adopted tentative budgets. This	
314	summary statement shall show for each budget the total of	
315	all budgets, the proposed tax millages, the balances, the	
316	reserves, and the total of each major classification of	
317	receipts and expenditures, classified according to the	
318	classification of accounts prescribed by the appropriate	
319	state agency, and a brief explanation of any increase or	
320	decrease by account. The municipality shall cause this	
321	summary statement to be advertised one time in a newspaper	
322	of general circulation published in the municipality, or by	
323	posting at the designated public office within the	
324	boundaries of the municipality if there is no such	
325	newspaper, and the advertisement shall appear adjacent to	
326	the advertisement required pursuant to s. 200.065. For	
327	those municipalities that have websites, the municipality	
328	shall make the summary statement available online when	
329	published in the newspaper.	
330	(<u>6</u> 3) The governing body of each municipality at any time	
331	within a fiscal year or within up to 60 days following the end	
332	of the fiscal year may amend a budget for that year as follows:	

333 (a) Appropriations for expenditures within a fund may be334 decreased or increased by motion recorded in the minutes,

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335 provided that the total of the appropriations of the fund is not 336 changed.
337 (b) The governing body may establish procedures by which

(b) The governing body may establish procedures by which
the designated budget officer may authorize certain budget
amendments within a department, provided that the total of the
appropriations of the department is not changed.

(c) If a budget amendment is required for a purpose not specifically authorized in paragraph (a) or paragraph (b), the budget amendment must be adopted in the same manner as the original budget unless otherwise specified in the charter of the respective municipality.

346 Section 5. Section 189.418, Florida Statutes, is amended 347 to read:

348

189.418 Reports; budgets; audits.--

349 (1) DEFINITIONS.--As used in this section, the term:

350 (a) "Fund" means a fiscal and accounting entity with a
 351 self-balancing set of accounts which are recorded and segregated
 352 to carry on specific activities or to attain certain objectives
 353 in accordance with special regulations, restrictions, or

354 <u>limitations.</u>

(b) "Object of expenditure" means the classification of fund data by character of expenditure. "Object of expenditure" includes, but is not limited to, personal services, purchased services, debt service, supplies, capital outlay, grants, and transfers.
(c) "Spending entity," as designated by the special

361 district, means any office, unit, department, board, commission,

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362 <u>or institution which is responsible for any particular</u> 363 expenditures or revenues.

When a new special district is created, the district 364 (21)365 must forward to the department, within 30 days after the 366 adoption of the special act, rule, ordinance, resolution, or 367 other document that provides for the creation of the district, a 368 copy of the document and a written statement that includes a 369 reference to the status of the special district as dependent or 370 independent and the basis for such classification. In addition 371 to the document or documents that create the district, the 372 district must also submit a map of the district, showing any municipal boundaries that cross the district's boundaries, and 373 any county lines if the district is located in more than one 374 375 county. The department must notify the local government or other entity and the district within 30 days after receipt of the 376 377 document or documents that create the district as to whether the 378 district has been determined to be dependent or independent.

379 (<u>32</u>) Any amendment, modification, or update of the 380 document by which the district was created, including changes in 381 boundaries, must be filed with the department within 30 days 382 after adoption. The department may initiate proceedings against 383 special districts as provided in s. 189.421 for failure to file 384 the information required by this subsection.

 $(\underline{43}) (\underline{a}) \text{ The governing body of each special district shall}$ adopt a budget by resolution each fiscal year. The total amount available from taxation and other sources, including amounts carried over from prior fiscal years, must equal the total of appropriations for expenditures and reserves. The adopted budget

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390	must regulate expenditures of the special district, and it is	
391		
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395	for the fiscal year and shall set forth the following:	
396	1. All proposed expenditures for administration,	
397		
398	to be undertaken or executed by any spending entity during	
399	the fiscal year;	
400	2. Anticipated revenues for the fiscal year;	
401	3. Estimated beginning and ending fund balances;	
402	4. The corresponding actual figures for the prior	
403	fiscal year, estimated figures projected through the end of	
404	the current fiscal year, including disclosure of all	
405	beginning and ending fund balances, consistent with the	
406	basis of accounting used to prepare the budget, and	
407	projections for the next fiscal year;	
408	5. Explanatory schedules or statements classifying	
409	the objects of expenditure and the revenues by source.	
410	6. The unreserved undesignated fund balance, of not more	
411	than ten (10.0%) percent of operating expenses, necessary to	
412	secure and maintain investment grade credit ratings, meet	
413	seasonal shortfalls in cash flow, and reduce susceptibility to	
414	emergency or unanticipated expenditures or to revenue	
415	shortfalls. Any remaining fund balance shall not be used to	
416	increase expenditures within the budget, but shall be carried	
417	forward to the next fiscal year in furtherance of the fund.	
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418	(b) A special district shall prepare a written budget	
419	message, not to exceed four pages, describing the important	
420	features of the final budget. The message shall include an	
421	overview of the special district, a description of the previous	
422	fiscal year's performance, a review of the current fiscal year's	
423	revenues and expenditures, and an economic outlook and future	
424	challenges or objectives description. The message must include	
425	within it a statement of the budgetary basis of accounting used	
426	and a description of the services to be delivered during the	
427	fiscal year. The special district shall make the message	
428	available to district residents and post the message prominently	
429	online if the special district has web capability.	
430	(C) The tentative budgets, adopted tentative budgets,	
431	and final budgets shall be filed as a public record at a	
432	designated public office within the boundaries of the	
433	special district, or, if a public office is not available	
434	within the boundaries, shall be filed with a public office	
435	close to the boundaries of the special district. For those	
436	special districts that have websites, the tentative	
437	budgets, adopted tentative budgets, and final budgets shall	
438	be made available online when filed with the designated	
439	public office.	
440	(d) Upon receipt of the tentative budgets of each	
441	spending entity and completion of any revisions made by the	
442	special district, the special district shall prepare a	
443	statement summarizing all of the adopted tentative budgets.	
444	This summary statement shall show for each budget the total	
445	of all budgets, the proposed tax millages, the balances,	
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446	the reserves, and the total of each major classification of	
447	receipts and expenditures, classified according to the	
448	classification of accounts prescribed by the appropriate	
449	state agency, and a brief explanation of any increase or	
450	decrease by account. The special district shall cause this	
451	summary statement to be advertised one time in a newspaper	
452	of general circulation published in the special district,	
453	or by posting at a designated public office within the	
454	boundaries of the special district, or, if a public office	
455	is not available within the boundaries, shall be filed with	
456	a public office close to the boundaries of the special	
457	district and the advertisement shall appear adjacent to the	
458	advertisement required pursuant to s. 200.065. For those	
459	special districts that have websites, the special district	
460	shall make the summary statement available online when	
461		

461 published in the newspaper.

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462 (<u>54</u>) The proposed budget of a dependent special district 463 shall be presented in accordance with generally accepted 464 accounting principles, contained within the general budget of 465 the local governing authority, and be clearly stated as the 466 budget of the dependent district. However, with the concurrence 467 of the local governing authority, a dependent district may be 468 budgeted separately.

(<u>6</u>5) The governing body of each special district at any
time within a fiscal year or within up to 60 days following the
end of the fiscal year may amend a budget for that year. The
budget amendment must be adopted by resolution.

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473 (76) A local governing authority may, in its discretion, review the budget or tax levy of any special district located 474 475 solely within its boundaries. All reports or information required to be filed with 476 (87) 477 a local governing authority under ss. 189.415, 189.416, and 189.417 and this section shall: 478 479 (a) When the local governing authority is a county, be filed with the clerk of the board of county commissioners. 480 When the district is a multicounty district, be filed 481 (b) with the clerk of the county commission in each county. 482 When the local governing authority is a municipality, 483 (C) be filed at the place designated by the municipal governing 484 body. 485 486 Section 6. This act shall take effect October 1, 2008.

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