

LB148 Budget Hearings & Meeting Notices: New Requirements

(as related to Public School Boards)

- ❖ Effective beginning with the 2021-22 School Fiscal Year
- ❖ Includes changes from LB148 (2019) made to Neb. Rev. Stat. §§ 13-503, 13-506 and 84-1411
- **The Budget Hearing must be held separate from any regularly scheduled meeting:**
 - Must have distinct and separate designated time from any other scheduled meeting. (There should be a clear opening and closing of a public meeting by the Board President.)*
 - Budget Hearing cannot have a time limit.*
- **At the Budget Hearing:**
 - The Board must make a presentation outlining the key provisions of the proposed budget statement, which must include, but is not limited to, a comparison to the prior year's budget.*
 - Must have at least three copies of the proposed budget statement available to the public.*
 - Any member of the public desiring to speak on the proposed budget statement shall be allowed to address the Board and given a reasonable amount of time to do so.*
 - The Board may allow the public to appear by means of video or telecommunications equipment.
- **Notice of the Budget Hearing and all regularly scheduled meetings:**
 - Public notice for all public meetings shall now be published in a newspaper of general circulation within the School District's boundaries and, if available, on such newspaper's website.*
 - Public notice shall be published four calendar days prior to meeting. For purposes of the four days, the date of publication shall be counted, but the date of the hearing/meeting shall not be counted.
 - Notification shall include the place and time of such hearing, as well as an agenda.
 - Notice of Budget Hearings must also include a summary of the proposed budget statement.
 - Besides the required newspaper notice, such notice may also be provided by any other appropriate method designated by the Board.
 - Board must record the methods and dates of notice in its minutes.
 - Secretary or other designee of the Board shall maintain a list of the news media requesting notification of Board meetings and shall make reasonable efforts to provide advance notification to them of the Budget Hearing, as well.
- ❖ Existing provisions regarding adoption, certification to the levying board, and filing with the Auditor's Office remain unchanged and still apply.
- ❖ All other provisions of the Nebraska Budget Act and the Open Meetings Act remain unchanged and still apply.

COMMENTS:

1. Holding a Budget Hearing on the same day as the School Board's monthly meeting is not prohibited, but with the passage of LB148 the Budget Hearing now must be a distinct and separate meeting and cannot be limited by time. Therefore consideration should be taken as to the start time of the regular monthly meeting.
2. Current law states that each meeting of a public body must have its own separate public notice. Due to the existing requirement that a summary of the proposed budget statement must be included in the notice of a Budget Hearing it seems rational for a Budget Hearing to have its very own public meeting notice.