

702.03R4 Budget Hearing and Resolution Checklist Procedures

Friday, August 11, 2023

BUDGET HEARING AND RESOLUTION CHECKLIST PROCEDURES

1. Compare the proposed budget to prior year's budget - if the proposed budget amount is less than or equal to the prior year's budget amount, go to item 5.
2. If the proposed budget will increase the property tax more than the allowable growth percentage, go to item 3, if not go to item 5.
3. Prepare for the Joint Public Hearing by designating one representative to attend and supplying the 8 required information items to the clerk of the county in which the district's central office is located by September 5th. Wait to be notified of the date, time, and location of the Joint Public Hearing.
4. At the Joint Public Hearing, the presentation shall include the 8 items supplied to the county clerk including the phone number and email address for interested persons to contact the District. Any member of the public shall be allowed to speak at the Joint Public Hearing and shall be given a reasonable amount of time to do so.
5. The District shall give notice of the Budget Hearing at least 4 days prior to the hearing, including the day of publication, in the newspaper of record and on the newspaper's website, if it has one. The hearing notice shall include the 10 required items. The hearing must be held separately from any regularly scheduled meeting. It shall not be limited by total time although time limits may be set for each speaker. Any member of the public who wishes to speak on the proposed budget statement must be allowed to address the board for a reasonable amount of time. The board must make at least three copies of the proposed budget statement available to the public and shall make a presentation outlining key provisions of the proposed budget statement, including a comparison with the prior year's budget.

6. Following the Budget Hearing, the Board shall meet to approve and adopt its proposed budget. The budget resolution shall include the 7 required items of information.

7. The superintendent will ensure the budget is filed with and certified to the county levying board by September 30th as required with attached proof of publication and a copy of the resolution setting the property tax request shall be certified and forwarded to the county clerk by October 15th.

Determining Allowable Growth Percentage

Under the revisions of LB 644 to Nebraska Statute 77-1601.02, and district "that seeks to increase its property tax request by more than the allowable growth percentage shall participate in a joint public hearing.

For purposes of the Property Tax Request Act:

1. Allowable growth percentage means a percentage equal to the sum of (a) two percent plus (b) the political subdivision's real growth percentage;
2. Excess value means an amount equal to the assessed value of the real property included in a tax increment financing project minus the redevelopment project valuation for such real property;
3. Property tax request means the total amount of property taxes requested to be raised for a political subdivision through the levy imposed pursuant to section 77-1601;
4. Real growth percentage means the percentage obtained by dividing (a) the political subdivision's real growth value by (b) the political subdivision's total real property valuation from the prior year;
5. Real growth value means and includes:
 - a. The increase in a political subdivision's real property valuation from the prior year to the current year due to:
 - 1) improvements to real property as a result of new construction and additions to existing buildings,

2) any other improvements to real property which increase the value of such property,

3) annexation of real property by the political subdivision, and

4) a change in the use of real property; and

b. The annual increase in the excess value for any tax increment financing project located in the political subdivision.

6. Redevelopment project valuation has the same meaning as in section 18-2103; and Tax increment financing project means a redevelopment project as defined in section 18- 2103 that is financed through the division of taxes as provided in section 18-2147.