

Local Budget Law and Public Comment/ Public Hearings Guidance

Some of you have asked questions about local budget law requirements related to budget committees and adoption of your budgets by your boards given social distancing restrictions. Local Budget Law requirements are set out in Oregon statutes and require public participation/comment at different stages of the budget process including by Budget Committee and when the Board receives the Budget Committee's recommendations.

The following guidance from Oregon Department of Revenue on budget committees was provided recently to the community college business officers:

"The Department of Revenue is responsible for providing municipal corporations with information on budgeting practices and Local Budget Law. In light of recent developments related to the spread of the covid-19 virus, Oregon's local governments may be conducting public meetings, including budget committee meetings, through electronic communications or other alternative methods. Please refer to the [Attorney General's Public Records and Meetings Manual](#) for information on Oregon's public meetings law. In addition to public meetings law requirements, Oregon's local budget law requires that members of the public be provided with an opportunity to ask questions and comment on a municipal corporation's proposed budget as part of the official budget committee meeting under ORS 294.426. In order to comply with this requirement, a municipal corporation conducting a public meeting using electronic communications or other alternative methods must allow members of the public an opportunity to participate in the meeting and make comment, orally or written, in real time. If a municipal corporation chooses an alternate means for conducting its budget committee meeting, the meeting notices for that meeting must clearly describe how members of the public may participate in the meeting, ask questions, and make comments. Also, it may be helpful to make the proposed budget document and budget message available to the public in advance of the scheduled meeting and to offer additional methods for public comment including email or mailing options and an extended deadline for comments to be accepted.

As a reminder, budgets must be adopted by June 30th. "

Considering this guidance and the Governor's Executive Orders on gatherings, I recommend you move all of your budget committee and board meetings to virtual meetings if you have not already. You should make sure that the notices you send out to the public note that there will be no in-person option for attending meetings. In addition, you should state as noted in the guidance above how the public can participate in the meetings as required by Local Budget Law. You should check with your IT staff to determine the best way to facilitate participation with the technology you decide to use. Written and emailed public comment should also be encouraged and sufficient time should be provided to submit comments that way. In addition, don't forget about accommodations for disabilities when using Zoom or other virtual meetings. College Disability Services Offices should be able to assist if there is a request for accommodation. You should include a contact person on the public notice who is available to receive accommodation requests.

Please feel free to contact Karen Smith at ksmith@occa17.com if you have any questions about this or other Oregon Public Meetings Law requirements.