

INFORMATION REGARDING FLORIDA STATUTES, CHAPTERS 129 AND 200

The Brevard County Operating and Capital Budget is developed and adopted in accordance with Florida Statutes Ch. 129 and 200.

Chapter 129 governs the annual budget, and:

- a. Requires the County Commission to prepare, approve, adopt, and execute a budget for each fiscal year beginning October 1 and ending September 30.
- b. Requires the budget to be balanced; i.e., the total of the estimated receipts, including balances brought forward, shall equal the total of the appropriations and reserves.
- c. Provides for various reserve funding.
- d. Requires 5% of projected operating revenues to be EXCLUDED from the budget; this is also known as the statutory reduction.
- e. Requires Balance Forward from the current fiscal year be recognized and budgeted in the subsequent fiscal year.
- f. Requires the Board of County Commissioners to appoint a County Budget Officer to carry out the requirements of this Statute; this is typically the County Manager, who then delegates the responsibility to the Budget Director.
- g. Requires the County Budget Officer to provide to the Board of County Commissioners a tentative budget no later than 15 days following certification of value by the Property Appraiser's Office.
- h. States the adopted budget shall regulate the expenditures of the county and each special district included within the county budget.
- i. States the modified-accrual basis or accrual basis of accounting must be followed for all funds in accordance with generally accepted accounting principles.
- j. States the Board of County Commissioners at any time within a fiscal year may amend a budget for that year, and may within the first 60 days of a fiscal year amend the budget for the prior fiscal year, within certain parameters.

Chapter 200 governs the determination of millage; highlights include:

- a. The definition and types of millages, including 'county,' 'municipality,' 'dependent and independent special districts,' 'voted millages,' and 'aggregate millage rate.'
- b. Duties of the Board of County Commissioners in setting the tax rate(s).
- c. The rules by which ad valorem (property) taxes may be determined:
 - Within 35 days of certification of value, each taxing authority shall advise the property appraiser of its proposed millage rate, of its rolled-back rate, and of the date, time, and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget.

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- The property appraiser shall utilize this information in preparing the notice of proposed property taxes. The deadline for mailing the notice shall be the latter of 55 days after certification of value or 10 days after the date the tax roll is approved.
 - Within 80 days of the certification of value, but not earlier than 65 days after certification, the governing body of each taxing authority shall hold a public hearing on the tentative budget and proposed millage rate, and amend and adopt the tentative budget.
 - Within 15 days after the meeting adopting the tentative budget, the taxing authority shall advertise in a newspaper of general circulation in the county its intent to adopt a final millage rate and budget. A public hearing to finalize the budget and adopt a millage rate shall be held not less than 2 days nor more than 5 days after the day that the advertisement is published. During the hearing, the governing body of the taxing authority shall amend the tentative budget as it sees fit, adopt a final budget, and adopt a resolution or ordinance stating the millage rate to be levied.
- d. Rules for notices to taxpayers and public hearings and subsequent timeframes.
- e. In the absence of a referendum, limits the total mills levied by any one taxing unit to 10 mills.