

CHAPTER 7

AN ACT concerning the online posting of municipal and county adopted budgets and amending N.J.S.40A:4-10 and P.L.1966, c.293.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. N.J.S.40A:4-10 is amended to read as follows:

Adoption of budget; copies; public inspection.

40A:4-10. No budget or amendment thereof shall be adopted unless the director shall have previously certified his approval thereof. Final adoption shall be by resolution adopted by a majority of the full membership of the governing body, and may be by title where the procedures required by N.J.S.40A:4-8 and N.J.S.40A:4-9 or section 12 of P.L.1995, c.259 (C.40A:4-6.1), as applicable, have been followed.

The budget shall be adopted in the case of a county not later than February 25, and in the case of a municipality not later than March 20 of the calendar fiscal year or September 20 of the State fiscal year, except that the governing body may adopt the budget at any time within 10 days after the director shall have certified his approval thereof and returned the same, if such certification shall be later than the date of the advertised hearing.

If, in the case of a municipality which operates on the State fiscal year, the governing body fails to adopt the budget within the permitted time, the chief financial officer of the local unit shall so notify the director the next working day after the expiration of the permitted time.

Copies of the budget, as adopted, in such form and in such quantity as determined by the Local Finance Board, shall be transmitted to the director, and made available in print for public inspection at the local library, within three days after adoption.

Upon adoption, the budget shall constitute an appropriation for the purposes stated therein and an authorization of the amount to be raised by taxation for the purposes of the local unit.

The adopted budget shall be provided for public inspection on the local unit's website, if one exists, or, if one does not exist, the budget shall be provided for public inspection on the website of the Department of Community Affairs, and made available online and in print as required by this section in a "user-friendly" summary format using plain language. In addition to the current year adopted budget, the local unit's adopted budgets of the immediately preceding three budget years also shall be provided for public inspection on the local unit's website, if one exists, or, if one does not exist, those budgets also shall be provided for public inspection on the website of the Department of Community Affairs. Any adopted budget posted online pursuant to this section shall remain posted online for the duration of the local budget year. The Local Finance Board shall promulgate a "user-friendly," plain language summary format for use by local units for this purpose pursuant to section 39 of P.L.2007, c.63 (C.40A:5-48).

2. Section 9 of P.L.1966, c.293 (C.52:27D-9) is amended to read as follows:

C.52:27D-9 Additional powers and duties.

9. The department shall, in addition to other powers and duties invested in it by this act, or by any other law:

- (a) Assist in the coordination of State and Federal activities relating to local government;
- (b) Advise and inform the Governor on the affairs and problems of local government and make recommendations to the Governor for proposed legislation pertaining thereto;

- (c) Encourage cooperative action by local governments, including joint service agreements, regional compacts and other forms of regional cooperation;
- (d) Assist local government in the solution of its problems, to strengthen local self-government;
- (e) Study the entire field of local government in New Jersey;
- (f) Collect, collate, publish and disseminate information necessary for the effective operation of the department and useful to local government;
- (g) Maintain an inventory of data and information and act as a clearing house and referral agency for information on State and Federal services and programs;
- (h) Stimulate local programs through publicity, education, guidance and technical assistance concerning Federal and State programs;
- (i) Convene meetings of municipal, county or other local officials to discuss ways of cooperating to provide service more efficiently and economically;
- (j) Maintain and make available on request a list of persons qualified to mediate or arbitrate disputes between local units of government arising from joint service projects or other cooperative activities, and further to prescribe rates of compensation for all such mediation, factfinding or arbitration services; and
- (k) Post on the department's website the annual budget and three immediately preceding adopted budgets of any municipality or county that does not maintain its own website pursuant to the requirements of N.J.S.40A:4-10.

3. This act shall take effect immediately.

Approved January 25, 2011.