

Key Ideas

Chapter 7: Additional Appropriations



In this section, we will discuss the following:

- *The use of the appropriation process.*
- *The publishing of legal notices.*
- *Public hearings.*
- *Filing Certified Copies.*
- *Reporting additional appropriations.*
- *The determination of sufficient funds.*
- *Fire loans, emergency loans, and bond proceeds.*
- *Requesting a reconsideration of a determination.*

ADDITIONAL APPROPRIATIONS

The additional appropriation process is used to appropriate money in excess of the established current year budget. The following outlines the provisions for pursuing an additional appropriation according to IC 6-1.1-18-5.



The additional appropriation process is used to appropriate money in excess of the established current year budget.

The fiscal body of a township must act on all additional appropriations. Approval by the Department is limited to cash funds that receive revenue from property taxes levied under IC 6-1.1 or IC 36-8-13. Additional appropriations from the Rainy Day Fund also require approval from the Department. State grant monies, such as Build Indiana Grants, that are not required to be paid back and that are itemized and earmarked for particular expenditures do not necessarily need to be appropriated by the taxing unit in order to make such expenditures. The determination is under the assumption that the taxing unit receives the money up front and it is receipted into a separate fund and is not a reimbursement to a previously established fund that requires an appropriation. Grant monies must be expended in accordance with the grant budget.

Other additional appropriations (including those made from the proceeds of bonds and loans) must only be reported (Reporting Only Funds) to the Department. The Department will only acknowledge the receipt of the information for funds that are designated as “Reporting Only” with accurate information.

The following steps should be followed when obtaining additional appropriations that were not included in the annual budget (authority to expend funds)

STEP ONE.

The first step occurs when the proper officers of a township desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined by the Department Budget Order. They shall give notice of their proposed additional appropriation. The notice shall state the time and place at which a public hearing will be held on the proposal. The notice shall be given once in accordance with IC 5-3-1-2(b) for a public hearing on the proposal.

Legal notices for additional appropriations, whether or not they require approval of the Department, must be published one (1) time in two (2) newspapers, no less than ten (10) days before the public hearing on the proposal.



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Ex: Public hearing is to be held on June 20. The notice for the additional appropriation must be published no later than June 10. Note: Ten days between June 10 and June 20. If you have a weekly newspaper in your township, you are still required to publish in a timely manner.

A qualified publication as defined in IC 5-3-1-0.7 is as follows:

- (1) is published daily, weekly, semiweekly, or triweekly;
- (2) is of general circulation to the public;
- (3) has been published for at least three (3) consecutive years in the same city or town;
- (4) has continuity as to title and general nature of content from issue to issue;
- (5) contains news of general or community interest, community notices, or editorial comment;
- (6) contains advertisements from unrelated advertisers in each issue;
- (7) has, in more than one half (1/2) of its issues published during the previous twelve month period, not more than seventy five percent (75%) advertising content;
- (8) has a known office location in the county which it is published; and
- (9) has been entered, authorized, and accepted by the United States Postal Service as mailable matter of requester second class or of the third class (as defined in 39 U.S.C. 3623) for the time published."

A brief summary of the publication requirements follows:

IC 53-3-1-4(a) reads, "Whenever offices of a political subdivision are required to publish a notice affecting the political subdivision, they shall publish notice in two (2) newspapers published in the political subdivision."

- (1) IC 5-3-1-4(d) reads, "This subsection applies to notices published by officers of political subdivisions not covered by subsections (a) or (b), including township officers. If there is only one (1) newspaper published in the political subdivision, then the notice shall be published in that newspaper and if another newspaper is published in the county and circulates within the political subdivision in the other newspaper. If no newspaper is published in the political subdivision, then publication shall be made in a newspaper published in the county and that circulates within the political subdivision."
- (2) IC 5-3-1-4(f) reads, "A political subdivision may, in its discretion, publish public notices in a qualified publication or additional newspapers to provide

supplementary notification to the public. The cost of publishing supplementary notification is a proper expenditure of the political subdivision.”

(A sample Notice to Taxpayers and Proof of Posting are included at the end of this chapter.)

STEP TWO.

The second step requires the fiscal officers of the township to hold a public hearing on the proposal as advertised. At the public hearing, action shall be taken to approve, reduce, or disallow the additional appropriation as advertised. If the Board tables the request until the following month, the additional appropriation **does not** have to be re-advertised. The township board should not adopt appropriations exceeding the amount advertised. (A sample resolution/ordinance is included at the end of this chapter.)



The second step requires the fiscal officers of the township to hold a public hearing on the proposal as advertised.

STEP THREE.

The third step requires that after the public hearing, the trustee files a Certified Copy of Additional Appropriations and any other relevant information with the Department. Information to complete this form is pulled from the Department 16-line statement provided with the 1782 Notice. Line items are identified for ease in determining the appropriate figures.



The third step requires the trustee to file a Certified Copy of their final action on the additional appropriation(s) with the Department.

As the final step for additional appropriations that do not require Department approval, the fiscal officer of the township shall report the additional appropriation to the Department in the form of a Certified Copy.

The Department will rely on the Certified Copy of Additional Appropriations as verification by the township trustee that these events (notice published, meeting held and resolution/ordinance passed) have occurred. The Department order approving additional appropriations is conditioned upon the accuracy of the Certified Copy of Additional Appropriations and the financial information provided.

How to complete the Certified Copy of Additional Appropriation Form

Completion of the form is required to provide the Department with a financial worksheet to determine if the appropriate funds are available to support the trustee's additional appropriation request.

County name: Insert the county name

Unit name: Insert the township name

Date of publication: This provides the Department with the dates the trustee published notice of the additional appropriation. Recall that the additional appropriation must be advertised in two newspapers if two are available. The dates should be pulled from the newspaper publisher's affidavit and both dates must be at least ten days before the public hearing.

Newspaper: Provide the name of the publisher of the newspaper advertisement for the additional appropriation. If only one newspaper is used, write not applicable in the second line.

Public hearing: This is the date of the public hearing on the additional appropriation.

Resolution date: This is the date the fiscal body passed the resolution approving the additional appropriation. The resolution date cannot be before the date of the public hearing.

Fund number: This should come from your 16-line statement. Common fund numbers for Townships are: 0101 General, 0840 Township Assistance, 1111 Fire Fighting Fund, 1182, Fire Debt, 1190 Cumulative Fire.

Fund name: Refer to the fund number on your 16-line statement section for the appropriate fund names.

Appropriation request: This should reflect the amount approved by the township board at the additional appropriation hearing.

Amount by reduction: If the township is reducing a line item within a particular fund at the same time, it is considered a reduction also. The amount reduced by the township board would be placed on this line.

Amount by surplus: This is the appropriation request minus the amount by reduction.

Line 1: Property tax levy. This reflects line 16 from the 16-line statement provided by the Department with the 1782 Notice, or the tax rate multiplied by the assessed valuation reflected on the budget order.

Line 2: Levy excess applied. This reflects line 15 of the 16-line statement provided by the Department with the 1782 Notice.

Line 3: PTRC from CAGIT or LOIT Levy Freeze (Lines 13 a and b). This reflects line 13a and 13b of the 16-line statement provided by the Department with the 1782 Notice. If you are a CAGIT county or adopted the LOIT levy freeze, these lines may have an amount placed on them. If your county is non-adopting or COIT, there would be no amount on these lines.

Line 4: Miscellaneous Revenue estimate (Line 8B). This is line 8B on the 16-line statement provided by the Department with the 1782 Notice. If you are increasing the amount above what was determined at the budget hearing, a revised Form 2, Estimate of Miscellaneous Revenue, must be attached to the Certified Copy of Additional Appropriation supporting the increase requested. If no revised Form 2 is received, **your request will be based upon the original miscellaneous revenue form determined by the Department.**

Line 5: January 1 Cash balance, including investments. This is the cash and investment balances in the appropriate fund as of January 1 of the current year. This figure is taken from the township trustee's ledger book. Do not include investments attributed to other funds.

Line 6: Total funds available. Simply add the first five lines on the worksheet. This represents total funds available before any appropriations are deducted for this fund.

Line 7: Original Budget. This is line 1 of the 16-line statement provided by the Department with the 1782 Notice. The budget amount is also included in the final budget order.

Line 8: Encumbered appropriations. This amount would be any prior year carryovers for a particular fund. An example: \$5,000 in capital outlays was obligated through a purchase order or contract for office equipment but the check will not be written until after January 1. The original appropriation was in place the prior year but the funds were not spent until the new year.

Line 9: Total beginning appropriations. Simply add lines 7 and 8. This represents the amount of funds already committed for this fund.

Line 10: Surplus funds (6-9). This represents line 6 of this worksheet minus line 9. These are the funds available before the approval of any additional appropriations during the current calendar year.

Line 11: Amount appropriated since January 1 less any reductions in appropriations. This represents any additional appropriations done in excess of the budget during the current calendar year. It does not include the current year budget.

Line 12: Amounts transferred to the Rainy Day Fund. This represents the amount of funds transferred to the rainy day fund from this fund in the current budget year.

Line 13: Surplus funds remaining (10-11). This represents the total amount of uncommitted funds available for appropriation. If the amount on this line exceeds the amount requested, it is likely the additional appropriation will be approved if proper procedure has been followed. If the amount on this line is less than the amount requested, the appropriation approved will be the lesser of the two figures.

The bottom of the Certified Copy of the Additional Appropriation must be completed to reflect the township trustee's certification of the information contained within the worksheet. The form is forwarded to the Department, Budget Division, at 100 N. Senate Avenue, Room N1058, Indianapolis, Indiana, 46204.

STEP FOUR.

When the Department receives a Certified Copy for a proposed additional appropriation from funds requiring approval, the Department shall determine whether sufficient funds are available during the calendar year for the proposal. The Department issues a written determination within 15 days of receipt of the proposal OR after the issuance of the Budget Order for the current year, whichever occurs first. The Department limits the amount of the additional appropriation approval to revenues available, or to be made available, that have not been previously appropriated. The Certified Copy shall include the January 1 Cash Balance (including investments) and appropriations encumbered from last year. The fiscal officer certifies to the Department the accuracy of these figures.



The Department shall determine whether sufficient funds are available during the calendar year for the proposal.

If an appropriation is to be funded with income in excess of revenue estimates made at the time of the Department worked the budget, then information supporting such additional revenue must be provided at the time of submission. If revenue is available from carry-over cash that is not encumbered from the previous year or the current budget, supportive evidence is not necessary. **Increased miscellaneous revenue estimates must be shown by completing a revised Budget Form 2 (Estimate of Miscellaneous Revenues) detailing increases. If a Form 2 is not completed, the miscellaneous receipts will not be revised and the proposal will be denied until such information is received.**

If the information file is incomplete, the Department will return the Certified Copy to the taxing unit.

A township must appropriate the proceeds from a fire loan, emergency loan or bond proceeds before expending the revenue. The additional revenue should be added to the Miscellaneous Revenue Form 2 to support the amount requested.



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STEP FIVE

If the Department disapproves an additional appropriation, the reason for the disapproval shall be specified on the written documentation sent to the trustee.

STEP SIX.

If the Department denies an additional appropriation and the trustee believes the denial is in error, the trustee may appeal to the Department for reconsideration. A request for reconsideration must:

- Be filed with the Department within fifteen (15) days of the receipt of the determination by the political subdivision; and
- State specifically the reason for the request for reconsideration.
- There is no form for the request for reconsideration. A letter with the relevant information will be considered.



A township trustee may request a reconsideration of a determination by the Department by filing a written request for reconsideration.

Upon receipt of a request for reconsideration, the Department must act on the request within fifteen (15) days of receipt.

STEP SEVEN:

The Certified Copy of Additional Appropriations, relevant information and any revised Form 2's must be sent to:

**DEPARTMENT OF LOCAL GOVERNMENT FINANCE
BUDGET DIVISION
100 N SENATE AVE., ROOM N1058
INDIANAPOLIS IN 46204**

The following summary outlines the additional appropriation procedures:

- 1) Notice to Taxpayers is published in two newspapers 10 days before a public meeting.
- 2) Public meeting is held on date and time as advertised. Resolution/Ordinance is passed.
- 3) All appropriations as adopted are forwarded to the Department in the form of the CERTIFIED COPY. Appropriations not from funds receiving property tax are available for use by the unit.
- 4) Appropriations from funds receiving property tax are reviewed by the Department to insure that funds are available.
- 5) A written determination on appropriations requiring approval is issued within fifteen (15) days of receipt by the Department. Appropriations are available for use once approval is made.
- 6) If appropriations are denied, unit may request specific reconsideration of determination by the Department within 15 days of receipt of notice.
- 7) The Department responds to reconsideration request within 15 days of receipt.

ENTRIES ON THE CERTIFIED COPY AND APPROPRIATIONS REQUEST SHOULD BE TO THE NEAREST DOLLAR. *DO NOT USE CENTS*

Transfer of Appropriations

The transfer process allows for movement of appropriations between categories. This process differs from an additional appropriation because transfer requests do not increase the amount budgeted in a particular fund but merely shifts the use of the funds between line items.

IC 6-1.1-18-6 reads "(a) The proper officers of a political subdivision may transfer money from one major budget classification to another within a department or office if:

- 1) they determine that the transfer is necessary;
 - 2) the transfer does not require expenditure of more money than the total amount set out in the budget as finally determined under this article;
 - 3) the transfer is made at a regular public meeting and by proper ordinance/resolution; and
 - 4) the transfer is certified to the county auditor.
- b) A transfer may be made under this section without notice and without the approval of the Department. It is not necessary to file documentation on transfers with the Department.

Transfer of Funds to the Rainy Day Fund

Pursuant to IC 36-1-8-5.1:

- a) A political subdivision may establish a rainy day fund to receive transfers of unused and unencumbered funds.
- b) The rainy day fund is subject to the same appropriation process as other funds that receive tax money. Before making an appropriation from the rainy day fund, the fiscal body shall make a finding that the proposed use of the rainy day fund is consistent with the intent of the original fund.
- c) In any fiscal year, a political subdivision may transfer not more than ten percent (10%) of the political subdivision's total budget for that fiscal year to the rainy day fund.
- d) The Department may not reduce the actual or maximum permissible levy of a political subdivision as a result of a balance in the rainy day fund of the political subdivision.

Transfers to the Rainy Day Fund must be reported to the Department. Units must submit to the Department the resolution/ordinance from the fiscal body approving the transfer. The resolution/ordinance must include the name of each fund and the amount being transferred out of each fund to the rainy day Fund.

ADMINISTRATIVE NOTES

1. Questions regarding Additional Appropriations should be directed to the attention of the Budget Division at 317-232-3790.
2. Additional appropriations to be approved by the Department will not be accepted after December 15 of any year. Units may submit "Reporting Only" appropriations until December 31 of any year.
3. The Certified Copy of Additional Appropriation utilizes the computer generated Budget Form 4B (16 line statement and Budget Form 2 (Miscellaneous Revenues) which is provided each unit upon review by the hearing officer during the budget certification process. Lines 1, 2, 3, 4 and 7 rely on this information.
4. When increasing miscellaneous revenues for Line 4 of the Certified Copy, only show increases in Column B of the form. Column B must be fully completed and totaled. Be sure to include the form when forwarding the additional appropriation to the Department.
5. Encumbrances that are certified on Line 8 of the certified copy are approved appropriations carried forward from a prior year and are supported by a sufficient cash balance for that year and the appropriation can be evidenced by a contract or purchase order. Appropriations carried forward (encumbrances) should be approved by the unit's fiscal body prior to the start of the year to which carried forward.

**SAMPLE
ADDITIONAL APPROPRIATION RESOLUTION/ORDINANCE**

WHEREAS, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec. 1. Be it ordained (resolved) by the _____

Governing Body

of the _____ Township, _____ County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Fund Name:		
Major budget classification:		
Personnel	\$ _____	\$ _____
Supplies	\$ _____	\$ _____
Other	\$ _____	\$ _____
Capital Outlays	\$ _____	\$ _____
 TOTAL for _____ Fund: (repeat for any other funds)	 \$ _____	 \$ _____

(Include only when appropriations are being reduced)

Sec. 2 Whereas, it has been shown that certain existing appropriations now have unobligated balances that will not be needed for the purposes for which appropriated, it is further ordained (resolved) that the following existing appropriations be reduced in the following amounts:

	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Fund Name:		
Major budget classification:		
Personnel	\$ _____	\$ _____
Supplies	\$ _____	\$ _____
Other	\$ _____	\$ _____
Capital Outlays	\$ _____	\$ _____
 TOTAL for _____ Fund: (repeat for any other funds)	 \$ _____	 \$ _____

Adopted this _____ day of _____, 20____.

NAY

AYE

ATTEST:

Trustee

**SAMPLE
NOTICE TO TAXPAYERS OF ADDITIONAL APPROPRIATIONS**

Notice is hereby given the taxpayers of _____ Township,
 _____ County, Indiana that the proper legal officers, at their regular meeting
 place at _____ on the _____ day of
 _____, 20__ will consider the following additional appropriations in excess of
 the budget for the current year

	Amount
Fund Name:	
Major Budget Classification:	
Personnel	\$ _____
Supplies	\$ _____
Other	\$ _____
Capital Outlays	\$ _____
TOTAL for _____ Fund:	\$ _____
(Repeat for any other funds)	

Taxpayers appearing at the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the Department. The Department will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken.

NOTE: DO NOT PUBLISH THE FOLLOWING PARAGRAPH

Appropriations to be reduced should be named in the published notice; set out separately and not co-mingled with the additional appropriations being requested. The resolution/ordinance adopted by the governing body must separately list each appropriation.

ADDITIONAL APPROPRIATION RESOLUTION

Whereas, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec.1.Be it resolved by the _____
 _____ (Governing Body)
 of _____ Township, _____ County, that for the expenses of the
 taxing unit the following additional sums of money are hereby appropriated out of the
 funds named and for the purposes specified, subject to laws governing the same:

	Amount Requested	Amount Approved
Fund Name:		
Major Budget Classification:		
Personnel	\$ _____	\$ _____
Supplies	\$ _____	\$ _____
Other	\$ _____	\$ _____
Capital Outlays	\$ _____	\$ _____
TOTAL for _____ Fund:	\$ _____	\$ _____
(Repeat for any other funds)		

Adopted this _____ day of _____, 20_____.

NAY

AYE

ATTEST:

 Trustee

CERTIFIED COPY OF ADDITIONAL APPROPRIATION

County Name: _____

Unit Name: _____

Date of Publication _____ Newspaper _____

Date of Publication _____ Newspaper _____

Date of Public Hearing _____

Date of Resolution/Ordinance _____

For DLGF use only

County # _____

Unit # _____

Received _____

Order # _____

Complete for each fund from which the additional appropriations are made. Use a separate column for each fund. Lines referred to below are on the 16 – Line computer statement from DLGF budget hearing.

Fund Number			
Fund Name			
Appropriation Request			
Amount by Reduction			
Amount by Surplus			
1. Property Tax Levy (Line 16)			
2. Levy Excess (Line 15)			
3. PTRC from CAGIT and LOIT Levy Freeze (Line 13a and 13b)			
4. Misc. Revenue (Line 8b) (If higher than 8b amount, a revised Budget Form 2 must be attached)			
5. January 1 Cash Balance, including any investments			
6. Total Funds (1 + 2 + 3 + 4 + 5)			
7. DLGF Approved Budget			
8. Encumbered Appropriations			
9. Beginning Appropriations (7 + 8 this form)			
10. Surplus Funds (6 – 9)			
11. Amount additionally appropriated since January 1 st less any reductions in appropriations.			
12. Amount transferred to the Rainy Day Fund and/or Levy Excess <u>fund from this fund since January 1 current year.</u>			
13. Surplus Funds Remaining (10–11-12)			

I, _____, fiscal officer of _____ do hereby certify that the above information is true and correct.

Dated this _____ day of _____, 20_____

(Signature)

(Title)

(Unit Address)

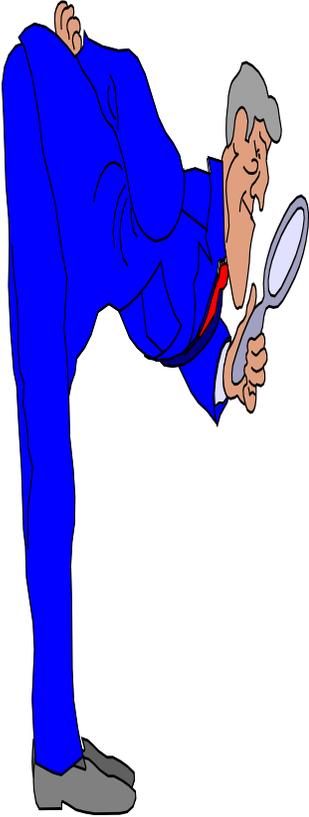
(Telephone Number)

(City / Towns / Zip Code)

(E-mail Address – Optional)

SUMMARY:

Chapter 7: Additional Appropriations



In this section, we have discussed the following:

- ***The additional appropriation process is used to appropriate money in excess of the established current year budget.***
- ***Legal notices for additional appropriations, whether or not they require approval of the Department, must be published one (1) time in one (1) or two (2) newspapers, no less than ten (10) days before the public hearing on the proposal.***
- ***The second step requires the proper officers of the township to hold a public hearing on the proposal as advertised.***
- ***The third step requires the Township Trustee to file, after the public hearing, a certified copy of their final proposal and any other relevant information with the Department.***
- ***The final step for an additional appropriation requires a certification to the Department.***
- ***The Department determines whether sufficient funds are available during the calendar year for the proposal.***
- ***The Department shall issue a decision regarding additional appropriations within a fifteen- day period.***
- ***The Township may request a reconsideration of a determination by the Department by filing a written request for reconsideration.***