

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
[redacted] of Montgomery
[redacted]

Local Law No. 6 of the year 19 .. 99

A local law Amending Local Law No. 7 of 1988, Which Empowered the Montgomery
.....
(Insert title)
County Administrator to Authorize Budgetary Transfers Between
Expense Categories Within the Same Appropriation Account

Be it enacted by the Board of Supervisors of the
.....
(Name of Legislative Body)

County
[redacted] of Montgomery as follows:

SECTION 1. LEGISLATIVE INTENT: The Board of Supervisors of the County of Montgomery hereby intends to enact appropriate legislation to bring greater efficiency, responsiveness and accountability to the County budgetary process. The Board of Supervisors intends to empower the County Administrator with the authority to make certain budget transfers under certain guidelines.

SECTION 2. COUNTY LAW: The County Law of the State of New York stipulates that, except as otherwise specified by a County governing body by the adoption of a Local Law or an ordinance, transfers of funds between categories of appropriation expenditure items (objects of expense) of personal services, equipment and contractual services within the same appropriation account may be authorized only by the adoption of a resolution by the governing body.

SECTION 3. CURRENT AUTHORITY: The County Administrator of the County of Montgomery previously was authorized to approve the transfer of funds within the same appropriation account of the County budget between the three categories of (a.) personal services; (b.) equipment; and (c.) contractual expenses in separate amounts of less than one thousand dollars (\$1,000.00) without the necessity of the adoption of a resolution of the Board of Supervisors under certain conditions, as well as unlimited authority to transfer funds within accounts of the same category.

SECTION 4. NEW AUTHORITY: The Board of Supervisors of the County of Montgomery hereby empowers the County Administrator to authorize and approve the transfer of funds within same appropriation account of the County Budget and between the three categories of (a.) Personal Services; (b.) equipment; and (c.) contractual expenses in separate amounts of less than (\$5,000.00) Five Thousand Dollars without the necessity of the adoption of a resolution of the Board of Supervisors, subject to the following conditions:

- A. That such authorization to transfer funds in this manner be given only if the County Department/Agency requesting such transfer has given prior written documentation to explain and justify the fund transfer request;
- B. That the County Administrator submit a monthly report to the Board of Supervisors which details and summarizes all such financial transactions;
- C. That such authority be applied only to the extent as may be permissible by the County Law.
- D. That such authority does not apply to transfers from the Contingent Account of any fund of the County Budget.

SECTION 5. SAVING CLAUSE: If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgement, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE: This Local Law shall take effect within 20 days upon it being filed with the Secretary of State of the State of New York.