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Governor Lamont’s Executive Order No. 7I Offers Local Budget and Deadline Clarification Amidst COVID-19

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by Jessica Grossarth Kennedy

On March 21, 2020, Governor Ned Lamont issued Executive Order No. 7I (the “Order”) to address municipal and school district concerns related to their budgets, deadlines and other related matters as a result of coronavirus disease 2019 (“COVID-19”).

The Order includes the following notable provisions:

EXTENSION OF BUDGET DEADLINES FOR OTHER MUNICIPAL BODIES:

- As we have already indicated, via “Executive Order 7C”, Governor Lamont ordered a 30 day extension of all **municipal budget deadlines** occurring on or before May 15, 2020 that pertain to the preparation of a municipal budget for the 2020-2021 fiscal year. The Order clarifies that these deadline extensions apply to all municipalities and quasi municipal corporations, including any village, school, sewer, fire, lighting, special services or special taxing district, beach or improvement association, any regional water or resource recovery authority or any other political subdivision of the state or any municipality.

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BUDGET ADOPTION/SUSPENSION OF IN-PERSON BUDGET ADOPTION REQUIREMENTS:

Municipalities

- The Order overrides any contrary statutes, charters and ordinance and requires a municipality's legislative body or, in a municipality where the legislative body is the town meeting, the board of selectmen, to authorize the municipality's "budget-making authority" to adopt a budget for the July 1, 2020 - June 30, 2021 fiscal year and set a mill rate.
- Most importantly, the Order provides that budgets shall be adopted without holding votes required by charter or without complying with any in-person budget adoption requirements, including town meetings, referendum or special town meetings.
- The Order still requires the budget-making authority to comply with the public meeting requirements set forth in Executive Order 7B and take all reasonable steps to publicize the draft municipal budget and receive public comments, including publishing draft budgets on the municipal website and providing an email address or other means for the public to submit timely comments on the proposed budget.

Regional Boards of Education

- Similar to the above requirements for municipalities, the Order requires regional boards of education to adopt a budget for the 2020-2021 fiscal year without complying with any in-person budget adoption requirements, including annual district budget meetings requiring votes, referendum, and special district meetings.
- Similarly, the Order still requires regional boards of education to comply with the public meeting requirements set forth in Executive Order 7B and take all reasonable steps to publicize the proposed budget and receive public comments, including publishing draft budgets on the district website and providing an email address or other means for the public to submit timely comments on the proposed budget.

MUNICIPAL PLANNING, ASSESSMENT AND TAXATION - EXTENSION OF MUNICIPAL DEADLINES AND WAIVER OF PENALTIES:

- The Order extends the deadlines for Net Grand Lists, Assessor Reports, Board of Assessment Appeals applications and decisions, Grand List of Taxable and Tax-Exempt Property, Sales Data Reports, and State and Colleges and Hospitals PILOT reimbursement claims without penalty.
- The Order suspends the penalty provisions for municipalities' failure to file information with the state as is usually required in the following statutes: Connecticut General Statutes §§10-261b (Data re transfers of

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real property for preparation of equalized net grand lists), 12-19a (Grants in lieu of taxes) and 12-20b (Valuation of Property for PILOT reimbursements).

Please contact an attorney with our firm should you have any questions regarding the meaning and application of the above provisions or any of the issues emanating from the current COVID-19 outbreak. In addition, please stay tuned for further developments.

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