

**HEALTH AND SAFETY CODE - HSC**

**DIVISION 26. AIR RESOURCES [39000 - 44474]**

*( Division 26 repealed and added by Stats. 1975, Ch. 957. )*

**PART 3. AIR POLLUTION CONTROL DISTRICTS [40000 - 41357]**

*( Part 3 added by Stats. 1975, Ch. 957. )*

**CHAPTER 2. County Air Pollution Control Districts [40100 - 40131]**

*( Chapter 2 added by Stats. 1975, Ch. 957. )*

**ARTICLE 3. District Budget Adoption [40130 - 40131]**

*( Article 3 added by Stats. 1993, Ch. 1028, Sec. 2. )*

**40130.**

The Legislature hereby finds and declares as follows:

(a) It is in the public interest to ensure that districts adopt their budgets in an open process in order to educate the public of the costs and benefits of air quality improvement.

(b) The process required by this article shall be separate from other budget processes to ensure full opportunity for the public to participate in, and comment upon, a district's budget prior to adoption.

(c) This process also shall provide accountability to district boards and to districts in their budget processes.

*(Added by Stats. 1993, Ch. 1028, Sec. 2. Effective January 1, 1994.)*

**40131.**

(a) Each district shall adopt its annual budget in accordance with the following requirements:

(1) The district shall prepare, and make available to the public at least 30 days prior to public hearing, a summary of its budget and any supporting documents, including, but not limited to, a schedule of fees to be imposed by the district to fund its programs.

(2) The district shall notify each person who was subject to fees imposed by the district in the preceding year of the availability of the information described in paragraph (1).

(3) (A) The district shall notice and hold a public hearing for the exclusive purpose of reviewing its budget and of providing the public with the opportunity to comment upon the proposed district budget.

(B) The public hearing required to be held pursuant to this paragraph shall be held separately, by a period of not less than two weeks, from the hearing at which the district adopts its budget.

(C) In districts with a population of 1,000,000 persons or less, the hearing required under this paragraph may include other matters in addition to those required under subparagraph (A).

(b) This article does not apply to the south coast district, which shall be governed by Article 8 (commencing with Section 40520) of Chapter 5.5.

*(Amended by Stats. 2002, Ch. 132, Sec. 1. Effective January 1, 2003.)*