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**Education Committee**

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**HB 1935**

**Brief Description:** Changing prerequisites for county auditors calling special elections.

**Sponsors:** Representatives Haigh, Ahern and Hatfield.

**Brief Summary of Bill**

- Removes reference to a repealed statute governing elections regarding school district consolidation proposals.
- Adds school district elections regarding district reorganization to the type of local elections exempt from the November election date rule.
- Requires a county auditor to call a special election requested by resolution from a city, town, or district.
- Removes the requirement for a county auditor to determine an emergency exists in order to call a special election.

**Hearing Date:** 2/24/03

**Staff:** Sydney Forrester (786-7120).

**Background:**

The standard rule regarding times for holding a local general election is that the election be held in November of odd-numbered years. Exceptions to this rule include nonhigh school district capital fund aid proposals and consolidation proposals for the transfer of territory from one district to another. The statute governing consolidation proposals, however, was repealed in 1999. A new law was enacted governing school district reorganization and adjustments to bonded indebtedness at the time of reorganization.

The statute governing timing of local elections grants the county auditor authority to call a special election on one of several specified alternate dates if requested to do so by resolution of a city, town, or district, and if the auditor deems an emergency to exist. Historical

practice, however, has been that an auditor almost always calls a special election when a resolution from a city, town, or district is submitted in a timely manner.

**Summary of Bill:**

Two school district reorganization-related elections are added to the list of elections exempt from the November election date general rule. Elections regarding an adjustment of bonded indebtedness between or among school districts, and elections regarding the formation of a new school district are added to the list of exempt elections. The statute governing these two types of district elections replaces the existing reference to the repealed statute governing consolidation proposals.

The authority of the county auditor to decide whether to call a special election (based on the existence of an emergency) is changed to a requirement that the election shall be held on one of the alternate dates specified. The county auditor is not required to determine an emergency exists in order to call a special election.

**Appropriation:** None.

**Fiscal Note:** Requested on 2/21/03.

**Effective Date:** The bill takes effect ninety days after adjournment of session in which bill is passed.