
**State Government & Tribal Relations
Committee**

ESB 5824

Brief Description: Concerning the dissolution of libraries and library districts.

Sponsors: Senators Hunt, Keiser, Kuderer, Liias and Nobles; by request of Secretary of State.

Brief Summary of Engrossed Bill

- Changes the number of signatures required to file a petition to dissolve a library created by a county, city, or town from 100 taxpayers to 25 percent of qualified electors of that county, city, or town.
- Increases the percentage of voters required to file a petition to dissolve a library district, and consequently a library created by that district, from 10 percent of eligible voters residing outside of incorporated cities or towns to 25 percent of all eligible voters residing in the library district.
- Removes the exclusion of qualified electors residing in incorporated cities or towns within library districts from voting on propositions to dissolve a library district.
- Authorizes a library created by a county, city, town, or library district to also be dissolved by independent action of the legislative body of the governmental unit in which the library is located.

Hearing Date: 2/16/24

Staff: Benjamin Ratcliff (786-7291) and Desiree Omli (786-7105).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Creation of Libraries.

There are a variety of methods by which public libraries are created, managed, and dissolved. Any county, city, or town may establish a public library. In addition, a public library may be created through the establishment of a library district. A library district generally provides library services for all areas outside of incorporated cities and towns. There are four types of library districts: rural county library districts, intercounty rural library districts, rural partial-county library districts, and island library districts. A qualifying city or town may become a part of a library district through an annexation process.

Dissolution of Libraries Created by Counties, Cities, and Towns.

Public libraries, excluding libraries of library districts, may be dissolved by a majority vote of qualified electors of the county, city, or town in which the library is located. Before the question of dissolution may be placed on the ballot, however, a petition must be signed by 100 taxpayers from the respective county, city, or town and filed with the legislative body.

Dissolution of Library Districts.

After a library district has been in operation for three or more years, it, and consequently the library created by the district, may be dissolved by a majority vote of all qualified electors residing outside of incorporated cities and towns. Before a proposition for the dissolution of a library district may be placed on the ballot, a petition requesting such dissolution must be signed by at least 10 percent of the qualified electors of the district residing outside of incorporated cities or towns and filed with the district board of trustees at least 90 days prior to the election. The statute also requires that certain types of library districts be dissolved in specific situations.

Summary of Bill:

Dissolution of Any Library.

The process for dissolving any library, whether created by a city, town, county, or library district, is modified to allow for dissolution by the legislative body of the governmental unit that created the library, in addition to the petition process. The number of voters needed to sign a petition to dissolve a library before the question may be placed on the ballot is increased to 25 percent of the governmental unit's qualified electors. For library districts, this includes voters residing in incorporated cities and towns within a library district. The petition must be filed at least 90 days prior to holding such election.

Dissolution of Library Districts.

The required threshold needed to place a proposition for dissolution of a library district on the ballot is increased to 25 percent of qualified voters within a library district. The exclusion of voters residing within incorporated cities or towns within the district from voting on the question of dissolving the district is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.