

**15.451 Commission.**

1. At the same time the referendum is held, an election shall be held for the commission. Each voter at the referendum may write upon the ballot the names of not more than five persons who are eligible voters within the district to be members of the commission.

2. The five persons receiving the highest number of votes shall constitute the commission. In the event one of the five receiving the highest number of votes elects not to serve on the commission, the person receiving the next highest number of votes shall serve.

3. Of the initial commission, the person receiving the highest number of votes shall serve a five-year term of office, the next highest shall serve a four-year term, the next highest shall serve a three-year term, the next highest shall serve a two-year term, and the fifth highest shall serve a one-year term. Thereafter, an election shall be held annually in the district to elect a member to a five-year term as each term expires.

4. Vacancies in the commission occurring between elections shall be filled by the remaining members of the commission by majority vote. Should a majority of those voting vote not to establish the district, the election shall be void.

[C77, 79, 81, §303.26]

[2016 Acts, ch 1011, §121](#); [2023 Acts, ch 19, §2099, 2125](#)

C2024, §15.451

Referred to in [§15.458](#), [15.459](#)

Section transferred from §303.26 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2125

Subsection 3 amended