

423F.4 Borrowing authority for school districts.

1. Subject to the conditions established under [subsection 2](#), a school district may anticipate its share of the revenues under [section 423F.2](#) by issuing bonds in the manner provided in [section 423E.5](#), Code 2019. However, to the extent any school district has issued bonds anticipating the proceeds of an extended local sales and services tax for school infrastructure purposes imposed by a county pursuant to former [chapter 423E](#), Code and Code Supplement 2007, prior to July 1, 2008, the pledge of such revenues for the payment of principal and interest on such bonds shall be replaced by a pledge of its share of the revenues under [section 423F.2](#).

2. *a.* Bonds issued on or after July 1, 2019, shall not be sold at public sale as provided in [chapter 75](#), or at a private sale, without notice and hearing. Notice of the time and place of the public hearing shall be published not less than ten nor more than twenty days before the public hearing in a newspaper which is a newspaper of general circulation in the school district.

b. For bonds subject to the requirements of paragraph “*a*”, if at any time prior to the fifteenth day following the hearing, the secretary of the board of directors receives a petition containing the required number of signatures and asking that the question of the issuance of such bonds be submitted to the voters of the school district, the board shall either rescind its adoption of the resolution or direct the county commissioner of elections to submit the question to the registered voters of the school district at an election held on the date specified in [section 39.2, subsection 4](#), paragraph “*d*”. The petition must be signed by eligible electors equal in number to not less than one hundred or thirty percent of the number of voters at the last preceding election of school officials under [section 277.1](#), whichever is greater. If the board submits the question at an election and a majority of those voting on the question favors issuance of the bonds, the board shall be authorized to issue the bonds.

c. After fourteen days from the date of the hearing under paragraph “*a*” or fourteen days after the date of the election held under paragraph “*b*”, if applicable, whichever is later, an action shall not be brought questioning the legality of any bonds or the power of the authority to issue any bonds or to the legality of any proceedings in connection with the authorization or issuance of the bonds.

[2008 Acts, ch 1134, §30](#); [2019 Acts, ch 166, §17](#); [2023 Acts, ch 71, §134, 136](#)

Referred to in [§275.12](#), [275.29](#), [275.30](#), [275.53](#), [275.54](#), [275.55](#), [423F.3](#)

2023 amendment to subsection 2, paragraph b applies July 1, 2023, for elections on propositions relating to the issuing of bonds or other indebtedness occurring on or after that date; [2023 Acts, ch 71, §136](#)

Subsection 2, paragraph b amended