

# House Study Bill 538

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY  
CHAIRPERSON TYMESON)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to elections for certain bond issuance  
2 propositions of a school district.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5746YC 81  
5 sc/cf/24

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1 1 Section 1. Section 296.3, Code 2005, is amended to read as  
1 2 follows:

1 3 296.3 ELECTION CALLED.

1 4 Within ten days of receipt of a petition filed under  
1 5 section 296.2, the president of the board of directors shall  
1 6 call a meeting of the board. The meeting shall be held within  
1 7 thirty days after the petition was received. At the meeting,  
1 8 the board shall call the election, ~~fixing the time of the~~  
~~1 9 election, which may be at the time and place of holding the~~

~~1 10 regular school election.~~ However, if the board determines by  
1 11 unanimous vote that the proposition or propositions requested  
1 12 by a petition to be submitted at an election are grossly  
1 13 unrealistic or contrary to the needs of the school district,  
1 14 no election shall be called. If more than one petition has  
1 15 been received by the time the board meets to consider the  
1 16 petition triggering the meeting, the board shall act upon the  
1 17 petitions in the order they were received at the meeting  
1 18 called to consider the initial petition. The decision of the  
1 19 board may be appealed to the state board of education as  
1 20 provided in chapter 290. ~~The~~ If an election is called, the  
1 21 president shall notify the county commissioner of elections ~~of~~  
~~1 22 the time of the election.~~

1 23 Sec. 2. Section 296.4, Code 2005, is amended by striking  
1 24 the section and inserting in lieu thereof the following:

1 25 296.4 CONDUCTING THE ELECTION.

1 26 An election called under this chapter shall be at the time  
1 27 and place of holding the regular school election, the general  
1 28 election, or the regular city election. Notice of the  
1 29 election shall be given by the county commissioner of  
1 30 elections by publication in accordance with section 49.53.

1 31 The county commissioner of elections shall conduct the  
1 32 election pursuant to the provisions of chapters 39 to 53 and  
1 33 certify the results to the board of directors.

1 34 Sec. 3. Section 298.18, unnumbered paragraph 4, Code 2005,  
1 35 is amended to read as follows:

2 1 The amount estimated and certified to apply on principal  
2 2 and interest for any one year may exceed two dollars and  
2 3 seventy cents per thousand dollars of assessed value by the  
2 4 amount approved by the voters of the school corporation, but  
2 5 not exceeding four dollars and five cents per thousand of the  
2 6 assessed value of the taxable property within any school  
2 7 corporation, provided that the registered voters of such  
2 8 school corporation have first approved such increased amount  
2 9 at a special election, which ~~may shall~~ be held at the same  
2 10 time as the regular school election, the general election, or  
~~2 11 the regular city election.~~ The proposition submitted to the  
2 12 voters ~~at such special election~~ shall be in substantially the  
2 13 following form:

2 14 Sec. 4. Section 298.18, unnumbered paragraph 6, Code 2005,  
2 15 is amended to read as follows:

2 16 Notice of the election shall be given by the county  
2 17 commissioner of elections according to section 49.53. ~~The~~  
~~2 18 election shall be held on a date not less than four nor more~~

2 19 than twenty days after the last publication of the notice. At  
2 20 ~~such the~~ election the ballot used for the submission of ~~said~~  
2 21 ~~the~~ proposition shall be in ~~substantially~~ the form ~~for~~  
~~2 22 submitting special questions at general elections provided for~~  
~~2 23 in section 49.30.~~ The county commissioner of elections shall  
2 24 conduct the election pursuant to the provisions of chapters 39  
2 25 to 53 and certify the results to the board of directors. Such  
2 26 proposition shall not be deemed carried or adopted unless the  
2 27 vote in favor of such proposition is equal to at least sixty  
2 28 percent of the total vote cast for and against said  
2 29 proposition at said election. Whenever such a proposition has  
2 30 been approved by the voters of a school corporation as  
2 31 hereinbefore provided, no further approval of the voters of  
2 32 such school corporation shall be required as a result of any  
2 33 subsequent change in the boundaries of such school  
2 34 corporation.

2 35 EXPLANATION

3 1 This bill provides that propositions relating to issuance  
3 2 of bonds by a school district, including the question of  
3 3 exceeding the debt limit or the levy rate limit for issuance  
3 4 and payment of certain bonds, must be placed on the ballot of  
3 5 the regular school election, the general election, or the  
3 6 regular city election if the propositions require a 60 percent  
3 7 majority for adoption.  
3 8 LSB 5746YC 81  
3 9 sc:nh/cf/24