House File 766 - Introduced

Passed House, Date _____   Passed Senate, Date _____
Vote: Ayes _____ Nays _____   Vote: Ayes _____ Nays _____
                    Approved _____

A BILL FOR

1 An Act relating to special elections by modifying the time period
2   after which certain city or school district proposals defeated
3   at election may be resubmitted to the voters and providing an
4   effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2097HV 83
7 sc/nh/14

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1 1   Section 1. Section 75.1, subsection 2, Code 2009, is
1 2 amended to read as follows:
1 3   2. a. When a proposition to authorize an issuance of
1 4 bonds has been submitted to the electors under this section
1 5 and the proposal fails to gain approval by the required
1 6 percentage of votes, such proposal, or any proposal which
1 7 incorporates any portion of the defeated proposal, shall not
1 8 be submitted to the electors for a period of six months from
1 9 the date of such regular or special election and may only be
1 10 submitted on a date specified in section 39.2, subsection 4,
1 11 paragraph "a", "b", or "c", as applicable.
1 12   b. Notwithstanding the six=month time period in paragraph
1 13 "a", if a proposition is submitted on behalf of a school
1 14 district and the proposal fails to gain approval by the
1 15 required percentage of votes, such proposal, or any proposal
1 16 which incorporates any portion of the defeated proposal, shall
1 17 not be submitted to the electors until the date of the second
1 18 special election, as specified in section 39.2, subsection 4,
1 19 paragraph "c", following the election at which the proposal
1 20 was defeated or the date of the regular school election,
1 21 whichever is the earlier.
1 22   c. Notwithstanding the six=month time period in paragraph
1 23 "a", if a proposition is submitted on behalf of a city and the
1 24 proposal fails to gain approval by the required percentage of
1 25 votes, such proposal, or any proposal which incorporates any
1 26 portion of the defeated proposal, shall not be submitted to
1 27 the electors until the date of the second special election, as
1 28 specified in section 39.2, subsection 4, paragraph "b",
1 29 following the election at which the proposal was defeated or
1 30 the date of the regular city election, whichever is the
1 31 earlier.
1 32   Sec. 2. Section 257.27, Code 2009, is amended to read as
1 33 follows:
1 34   257.27 CONTINUATION OF INSTRUCTIONAL SUPPORT PROGRAM.
1 35   1. At the expiration of the period for which the
2 1 instructional support program was adopted, the program may be
2 2 extended for a period of not exceeding five or ten years in
2 3 the manner provided in section 257.18.
2 4   2. If the voters do not approve adoption of the
2 5 instructional support program, ~~the board shall wait at least~~
2 6 ~~one hundred twenty days following the election before taking~~
2 7 ~~action to adopt the program or resubmit the~~ a proposition to
2 8 approve the program shall not be submitted anew to the
2 9 registered voters of the school district, either by resolution
2 10 or petition, until the date of the second special election, as
2 11 specified in section 39.2, subsection 4, paragraph "c",
2 12 following the election at which the proposal was defeated or
2 13 the date of the regular school election, whichever is the
2 14 earlier.
2 15   Sec. 3. EFFECTIVE DATE. This Act, being deemed of

2 16 immediate importance, takes effect upon enactment.
2 17   EXPLANATION
2 18   This bill makes changes relating to the time period after
2 19 which certain city and school district proposals defeated at
2 20 election may be resubmitted to the voters.
2 21   Under current law, if a proposal to issue bonded
2 22 indebtedness is defeated by the electorate, the proposition,
2 23 or any portion of the proposition, shall not be submitted to
2 24 the voters for six months following the date of the election
2 25 at which it was defeated. The bill provides that following
2 26 defeat at an election of a city bond issuance or a school
2 27 district bond issuance, the same or similar proposition shall
2 28 not be submitted to the electorate until the earlier of the
2 29 date of the second special election, as set by statute,
2 30 following the election at which it was defeated or the date of
2 31 the regular city election or regular school election, as
2 32 applicable.
2 33   Also, under current law, if a proposition to adopt an
2 34 instructional support program is defeated by the voters, the
2 35 school district board of directors may not take action to
3 1 adopt, by election or otherwise, an instructional support
3 2 program until 120 days have passed following the election at
3 3 which the proposition was defeated. The bill provides that
3 4 following defeat at an election of a proposition to adopt an
3 5 instructional support program, another proposition to adopt
3 6 such a program shall not be submitted to the electorate until
3 7 the date of the second special election, as set by statute,
3 8 following the election at which it was defeated or the date of
3 9 the regular school election, whichever is the earlier.
3 10   The bill takes effect upon enactment.
3 11 LSB 2097HV 83
3 12 sc/nh/14