

House Study Bill 506 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to school corporations by changing the date of
2 the election of directors of local school districts, merged
3 areas, and area education agency boards.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 39.2, subsection 4, paragraph c, Code
2 2011, is amended to read as follows:

3 c. For a school district or merged area, in the odd-numbered
4 year, the first Tuesday in February, the first Tuesday in
5 April, the last Tuesday in June, or the ~~second~~ first Tuesday
6 ~~in September~~ after the first Monday in November. For a school
7 district or merged area, in the even-numbered year, the first
8 Tuesday in February, the first Tuesday in April, the second
9 Tuesday in September, or the first Tuesday in December.

10 Sec. 2. Section 260C.12, subsection 1, Code 2011, is amended
11 to read as follows:

12 1. The board of directors of the merged area shall organize
13 at the first regular meeting in ~~October~~ December following the
14 regular school election. Organization of the board shall be
15 effected by the election of a president and other officers from
16 the board membership as board members determine. The board
17 of directors shall appoint a secretary and a treasurer who
18 shall each give bond as prescribed in section 291.2 and who
19 shall each receive the salary determined by the board. The
20 secretary and treasurer shall perform duties under chapter 291
21 and additional duties the board of directors deems necessary.
22 However, the board may appoint one person to serve as the
23 secretary and treasurer. If one person serves as the secretary
24 and treasurer, only one bond is necessary for that person. The
25 frequency of meetings other than organizational meetings shall
26 be as determined by the board of directors but the president
27 or a majority of the members may call a special meeting at any
28 time.

29 Sec. 3. Section 260C.13, subsection 1, Code 2011, is amended
30 to read as follows:

31 1. The board of a merged area may change the number of
32 directors on the board and shall make corresponding changes
33 in the boundaries of director districts. Changes shall be
34 completed not later than ~~June~~ August 1 of the year of the
35 regular school election. As soon as possible after adoption

1 of the boundary changes, notice of changes in the director
2 district boundaries shall be submitted by the merged area to
3 the county commissioner of elections in all counties included
4 in whole or in part in the merged area.

5 Sec. 4. Section 273.8, subsection 2, paragraphs a and b,
6 Code 2011, are amended to read as follows:

7 a. Notice of the election shall be published by the area
8 education agency administrator not later than ~~July~~ September 15
9 of the odd-numbered year in at least one newspaper of general
10 circulation in the director district. The cost of publication
11 shall be paid by the area education agency.

12 b. A candidate for election to the area education agency
13 board shall file a statement of candidacy with the area
14 education agency secretary not later than ~~August~~ October 15 of
15 the odd-numbered year, on forms prescribed by the department
16 of education. The statement of candidacy shall include the
17 candidate's name, address, and school district. The list of
18 candidates shall be sent by the secretary of the area education
19 agency in ballot form by certified mail to the presidents of
20 the boards of directors of all school districts within the
21 director district not later than ~~September~~ November 1. In
22 order for the ballot to be counted, the ballot must be received
23 in the secretary's office by the end of the normal business
24 day on ~~September~~ November 30 or be clearly postmarked by an
25 officially authorized postal service not later than ~~September~~
26 November 29 and received by the secretary not later than noon
27 on the first Monday following ~~September~~ November 30.

28 Sec. 5. Section 273.8, subsection 4, paragraph a, Code 2011,
29 is amended to read as follows:

30 a. The board of directors of each area education agency
31 shall meet and organize at the first regular meeting in ~~October~~
32 December following the regular school election at a suitable
33 place designated by the president. Directors whose terms
34 commence at the organizational meeting shall qualify by taking
35 the oath of office required by section 277.28 at or before the

1 organizational meeting.

2 Sec. 6. Section 273.8, subsection 6, Code 2011, is amended
3 to read as follows:

4 6. *Change in directors.* The board of an area education
5 agency may change the number of directors on the board and
6 shall make corresponding changes in the boundaries of director
7 districts. Changes shall be completed not later than ~~July~~
8 September 1 of a fiscal the odd-numbered year for the director
9 district conventions to be held the following ~~September~~
10 November.

11 Sec. 7. Section 277.1, Code 2011, is amended to read as
12 follows:

13 **277.1 Regular election.**

14 The regular election shall be held biennially on the ~~second~~
15 first Tuesday in September after the first Monday in November
16 of each odd-numbered year in each school district for the
17 election of officers of the district and merged area and for
18 the purpose of submitting to the voters any matter authorized
19 by law.

20 Sec. 8. Section 277.20, Code 2011, is amended to read as
21 follows:

22 **277.20 Canvassing returns.**

23 ~~On the next Friday after~~ After the regular school election,
24 the county board of supervisors shall canvass the returns
25 made to the county commissioner of elections from the several
26 precinct polling places and the absentee ballot counting board,
27 ascertain the result of the voting with regard to every matter
28 voted upon and cause a record to be made thereof, all as
29 required by section 50.24. Special elections held in school
30 districts shall be canvassed at the time and in the manner
31 required by that section. The board shall declare the results
32 of the voting for members of boards of directors of school
33 corporations nominated pursuant to section 277.4, and the
34 commissioner shall at once issue a certificate of election to
35 each person declared elected. The board shall also declare the

1 results of the voting on any public question submitted to the
2 voters of a single school district, and the commissioner shall
3 certify the result as required by section 50.27.

4 The abstracts of the votes cast for members of the board
5 of directors of any merged area, and of the votes cast on any
6 public question submitted to the voters of any merged area,
7 shall be promptly certified by the commissioner to the county
8 commissioner of elections who is responsible under section 47.2
9 for conducting the elections held for that merged area.

10 EXPLANATION

11 This bill changes the date of regular school elections
12 for local school districts, merged areas, and area education
13 agencies. The bill moves the date of the regular school
14 election from the second Tuesday in September in odd-numbered
15 years to the first Tuesday after the first Monday in November
16 of odd-numbered years, which is the date of the regular city
17 election.

18 Because area education agency board directors are elected at
19 the director district conventions by members of school boards,
20 the bill also changes the date of their election from September
21 to November in the odd-numbered year.