

Senate File 49 - Introduced

SENATE FILE 49

BY SALMON

A BILL FOR

1 An Act relating to the date for an election to authorize the
2 issuance of certain indebtedness by school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 296.3, Code 2023, is amended to read as
2 follows:

3 **296.3 Election called.**

4 Within ten days of receipt of a petition filed under section
5 296.2, the president of the board of directors shall call a
6 meeting of the board. The meeting shall be held within thirty
7 days after the petition was received. At the meeting, the
8 board shall call the election, fixing the time of the election,
9 which may shall, consistent with section 296.4, be at the time
10 and place of holding the regular school election under section
11 277.1. However, if the board determines by unanimous vote
12 that the proposition or propositions requested by a petition
13 to be submitted at an election are grossly unrealistic or
14 contrary to the needs of the school district, no election shall
15 be called. If more than one petition has been received by
16 the time the board meets to consider the petition triggering
17 the meeting, the board shall act upon the petitions in the
18 order they were received at the meeting called to consider the
19 initial petition. The decision of the board may be appealed to
20 the state board of education as provided in [chapter 290](#). The
21 president shall notify the county commissioner of elections of
22 the time of the election.

23 Sec. 2. Section 296.4, Code 2023, is amended to read as
24 follows:

25 **296.4 Notice — ballots.**

26 Notice of the election shall be given by the county
27 commissioner of elections by publication in accordance with
28 section 49.53. The county commissioner of elections shall
29 conduct the election pursuant to the provisions of chapters 39
30 through 53 and certify the results to the board of directors,
31 except that for elections conducted on or after July 1, 2023,
32 including elections subject to section 75.1, subsection 2, the
33 date of the election shall be the date of the regular school
34 election specified in section 277.1. However, if the purpose
35 of contracting indebtedness or issuing bonds is the result

1 of a natural disaster, the election may be held on any date
2 authorized under section 39.2, subsection 4, paragraph "c".

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 Subject to the approval of the voters when the indebtedness
7 exceeds 1.25 percent of the assessed value of the taxable
8 property, school districts are authorized in Code chapter 296
9 to contract indebtedness up to 5 percent of the actual value
10 of the taxable value and to issue general obligation bonds
11 to provide funds to defray the cost of purchasing, building,
12 furnishing, reconstructing, repairing, improving or remodeling
13 a schoolhouse or schoolhouses and additions thereto, gymnasium,
14 stadium, field house, school bus garage, teachers' or
15 superintendent's home or homes, and procuring a site or sites
16 for such buildings, or purchasing land to add to a site already
17 owned, or procuring and improving a site for an athletic field,
18 or improving a site already owned for an athletic field.

19 This bill limits elections for the contracting of
20 indebtedness and the issuance of bonds by school districts
21 under Code chapter 296 to only being conducted on the regular
22 school election date, which is the first Tuesday after the
23 first Monday in November in each odd-numbered year. However,
24 if the purpose of contracting indebtedness or issuing bonds
25 is the result of a natural disaster, the bill authorizes the
26 election to be held on any date authorized for school district
27 special elections.