

House File 2192 - Introduced

HOUSE FILE 2192
BY DIEKEN and FETT

A BILL FOR

- 1 An Act relating to bond election requirements and limitations
- 2 applicable to school districts.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 75.1, subsection 1, Code 2026, is amended
2 to read as follows:

3 1. a. When a proposition to authorize an issuance of bonds
4 by a county, township, school corporation that is not a school
5 district, city, or by any local board or commission, is
6 submitted to the electors, such proposition shall not be deemed
7 carried or adopted, anything in the statutes to the contrary
8 notwithstanding, unless the vote in favor of such authorization
9 is equal to at least sixty percent of the total vote cast for and
10 against said proposition at said election. All elections on such
11 proposition shall be held on the date specified in section 39.2,
12 subsection 4, paragraph "d".

13 b. When a proposition to authorize an issuance of bonds by
14 a school district is submitted to the electors, such proposition
15 shall not be deemed carried or adopted, anything in the statutes
16 to the contrary notwithstanding, unless the vote in favor of such
17 authorization is equal to at least eighty percent of the total
18 vote cast for and against said proposition at said election. All
19 elections on such proposition shall be held on the date specified
20 in section 39.2, subsection 4, paragraph "d". When a proposition
21 to authorize an issuance of bonds by a school district has been
22 submitted to the electors under this subsection and the proposal
23 fails to gain approval by the required percentage of votes,
24 another proposal submitted to the electors under this subsection
25 on or after July 1, 2026, shall not be submitted to the electors
26 for a period of four years from the date of such failed regular
27 or special election and may only be submitted on a date specified
28 in section 39.2, subsection 4, paragraph "d".

29 Sec. 2. Section 296.3, Code 2026, is amended to read as
30 follows:

31 **296.3 Election called.**

32 1. Within ten days of receipt of a petition filed under
33 section 296.2, the president of the board of directors shall
34 call a meeting of the board. The meeting shall be held within
35 thirty days after the petition was received. At the meeting, the

1 board shall call the election, fixing the time of the election as
2 required by section 39.2, subsection 4, paragraph "d". However,
3 if the board determines by unanimous vote that the proposition
4 or propositions requested by a petition to be submitted at an
5 election are grossly unrealistic or contrary to the needs of
6 the school district, no election shall be called. If more than
7 one petition has been received by the time the board meets to
8 consider the petition triggering the meeting, the board shall
9 act upon the petitions in the order they were received at the
10 meeting called to consider the initial petition. The decision
11 of the board may be appealed to the state board of education as
12 provided in chapter 290. The president shall notify the county
13 commissioner of elections of the time of the election.

14 2. Before calling an election under this section, the board
15 of directors of a school district shall designate and deposit
16 in one or more funds of the school district an amount equal to
17 or greater than fifty percent of the total cost of the project
18 or purpose for which the bonds are proposed to be issued. The
19 amount so deposited and designated shall be used solely for the
20 project or purpose unless the proposition of issuing the bonds
21 fails at election or the proposal to issue the bonds is abandoned
22 by the board of directors.

23 Sec. 3. Section 296.6, Code 2026, is amended to read as
24 follows:

25 **296.6 Bonds.**

26 If the vote in favor of the issuance of such bonds is equal to
27 ~~at least sixty percent of the total vote cast for and against~~
28 ~~said proposition at said election~~ meets the applicable vote
29 requirement under section 75.1, the board of directors shall
30 issue the same and make provision for payment thereof.

31 EXPLANATION

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

34 This bill makes changes relating to election requirements and
35 limitations for the issuance of bonds by a school district.

1 The bill requires that a proposition to authorize the issuance
2 of bonds by a school district receive the affirmative vote of
3 at least 80 percent of the total votes cast for and against
4 the proposition at the election. The bill retains the existing
5 requirement that propositions to authorize the issuance of bonds
6 by a county, city, school corporation that is not a school
7 district, township, or other local board or commission receive
8 the affirmative vote of at least 60 percent of the total votes
9 cast for and against the proposition.

10 Under the bill, if a school district submits a bond
11 proposition under Code section 75.1 that fails to gain approval
12 of the voters, the school district is then prohibited from
13 submitting another bond proposal to voters for a period of four
14 years.

15 As a condition of and prior to calling an election for the
16 issuance of bonds under Code chapter 296, the bill requires the
17 school district to designate and deposit in one or more funds
18 of the school district an amount equal to or greater than 50
19 percent of the total cost of the project or purpose for which
20 the bonds are proposed to be issued. The amount so deposited
21 and designated shall be used solely for the project or purpose
22 unless the proposition of issuing the bonds fails at election or
23 the proposal to issue bonds is abandoned by the school board.

24 The bill makes a corresponding change in Code section 296.6.