IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 281

BY STATE AFFAIRS COMMITTEE

1	AN ACT
2	RELATING TO THE ELECTION OF CITY COUNCILMEN; AMENDING SECTION 50-707A, IDAHO
3	CODE, TO REQUIRE CERTAIN CITIES TO ESTABLISH DISTRICTS AND PROVIDE FOR
4	THE ELECTION OF COUNCILMEN BY DISTRICTS, TO PROVIDE TIME REQUIREMENTS,
5	TO REVISE PRECINCT PROVISIONS, TO REVISE VERBIAGE, TO PROVIDE FOR SPLIT
6	PRECINCTS, TO PROVIDE FOR THE REAPPORTIONMENT OF DISTRICTS, TO REVISE
7	PROVISIONS RELATING TO THE ESTABLISHMENT OF DISTRICTS, TO PROVIDE FOR
8	THE ESTABLISHMENT OF DISTRICTS BY CITIES OF MORE THAN FIFTY THOUSAND
9	INHABITANTS, TO REVISE PROVISIONS RELATING TO THE DETERMINATION OF THE
10	PROCESS OF ELECTION, TO REVISE PROVISIONS RELATING TO THE METHOD OF THE
11	IMPLEMENTATION OF CERTAIN ORDINANCES CONSISTENT WITH SPECIFIED LAW,
12	TO PROVIDE THAT CERTAIN CITIES SHALL ELECT COUNCILMEN BY DISTRICT AND
13	DETERMINE THE METHOD OF IMPLEMENTATION OF ELECTION BY DISTRICTS CON-
14	SISTENT WITH SPECIFIED LAW, TO PROVIDE FOR STAGGERED TERMS, SHORTER
15	INITIAL TERMS OR AT-LARGE REPRESENTATION AND DISTRICT VACANCIES AND TO
16	MAKE A TECHNICAL CORRECTION.

17   Be It Enacted by the Legislature of the State of Idaho:

18   SECTION 1. That Section 50-707A, Idaho Code, be, and the same is hereby
19   amended to read as follows:

20   50-707A.   ELECTION OF COUNCILMEN BY DISTRICTS. (1) Any city may, by or-
21   dinance, provide for districts and the election of councilmen by districts.
22   Upon the adoption of such an ordinance and at least one hundred twenty (120)
23   days prior to each general election, the governing body of the city shall es-
24   tablish the territory of council districts in accordance with this section.
25   Any city having more than fifty thousand (50,000) inhabitants based upon the
26   federal decennial census shall establish districts and shall elect council-
27   men by districts. Districts shall be established no later than one hundred
28   twenty (120) days prior to the general election following the date that elec-
29   tion precincts are established pursuant to the provisions of section 34-301,
30   Idaho Code, following the first decennial census counting more than fifty
31   thousand (50,000) inhabitants in the city, or no later than the last day of
32   2013 for those cities of fifty thousand (50,000) or more inhabitants counted
33   in the 2010 federal census.
34   (2) Each district shall consist of one (1) or more contiguous election
35   precincts as established pursuant to the provisions of chapter 3, title 34,
36   Idaho Code, and each district shall, to the nearest extent possible, con-
37   tain the same number of people based upon the most recent federal decennial
38   census. In order to establish districts containing the same number of peo-
39   ple to the nearest extent possible, precincts may be split once, provided
40   that no district shall contain more than two (2) partial precincts. The city
41   council shall reapportion districts after hearing, and by ordinance no later
42   than one hundred twenty (120) days prior to the general election following

1 the date that election precincts are established pursuant to the provisions
2 of section 34-301, Idaho Code.
3   (3) Each city ~~providing~~ establishing districts for the election of
4 councilmen by districts shall establish the number of districts corre-
5 sponding to the number of council seats determined by the city pursuant to
6 section 50-701, Idaho Code, or for any city having a governing body governed
7 by the provisions of ~~sections 50-801 through 50-812~~ chapter 8, title 50,
8 Idaho Code, the number of council seats determined by the city pursuant to
9 section 50-805, Idaho Code, provided that a city of more than fifty thousand
10 (50,000) inhabitants required to elect councilmen by district and having a
11 governing body pursuant to the provisions of chapter 8, title 50, Idaho Code,
12 shall establish the number of districts and elect a mayor as if it had passed
13 an ordinance adopting the process pursuant to the provisions of section
14 50-809(2), Idaho Code.
15   (4) Upon adoption of ~~such~~ an ordinance establishing city election
16 districts, ~~a~~ the council shall determine, not less than ninety (90) days
17 before the next general city election, if council members are to be elected
18 by electors from the entire city, or by the electors of the said geographic
19 district. The council shall also determine, not less than ninety (90) days
20 before the next general election, the method of the implementation of ~~this~~
21 its ordinance consistent with the provisions of chapter 14, title 34, Idaho
22 Code. Cities of more than fifty thousand (50,000) inhabitants shall elect
23 councilmen by the electors of their respective geographic district and may
24 otherwise determine the method of implementation of election by districts
25 consistent with the provisions of chapter 14, title 34, Idaho Code. Imple-
26 mentation may include staggered terms, shorter initial terms, or at-large
27 representation and district vacancies as necessary to allow previously
28 elected councilmen to complete the term to which they were elected.