

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 151

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO BOARD OF TRUSTEES; AMENDING SECTION 33-501, IDAHO CODE, TO RE-  
2 VISE PROVISIONS REGARDING TRUSTEE ELECTIONS AND TO A MAKE TECHNICAL  
3 CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE AP-  
4 PPLICATION.  
5

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

7 SECTION 1. That Section 33-501, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 33-501. BOARD OF TRUSTEES. (1) Each school district shall be governed  
10 by a board of trustees. The board of trustees of each elementary school dis-  
11 trict shall consist of three (3) members, and the board of trustees of each  
12 other school district shall consist of five (5) members. Provided, however,  
13 that the board of trustees of any district ~~which~~ that has had a change in its  
14 district boundaries subsequent to June 30, 1973, may consist of no fewer than  
15 five (5) nor more than nine (9) members if such provisions are included as  
16 part of an approved proposal to redefine and change trustee zones as provided  
17 in section 33-313, Idaho Code. The board of trustees of any district that has  
18 had a change in its district boundaries because of district consolidation on  
19 and after January 1, 2008, shall consist of five (5) members if two (2) dis-  
20 tricts consolidated or seven (7) members if three (3) or more districts con-  
21 solidated. Commencing in 2018, a school district trustee shall be elected  
22 for a term of four (4) years beginning at twelve o'clock noon on January 1  
23 next succeeding his election.

24 (2) Each trustee shall at the time of his nomination and election, or  
25 appointment, be a school district elector of his district and a resident of  
26 the trustee zone from which nominated or appointed. In the event that a va-  
27 cancy shall be declared as provided in section 33-504, Idaho Code, and the  
28 board of trustees is unable to appoint a trustee from the zone vacated after  
29 ninety (90) days, the board of trustees may appoint a person at-large from  
30 within the boundaries of the school district to serve as the trustee from the  
31 zone where the vacancy occurred. When a person is duly elected to a trustee  
32 zone and the person is found to no longer reside in the trustee zone due to a  
33 change in the trustee zone boundaries that occurred prior to the person tak-  
34 ing office, that person shall be allowed to continue serving as a trustee for  
35 the remainder of that person's term as long as the person resides at the ad-  
36 dress used at the time of the election.

37 (3) Each trustee shall qualify for and assume office on January 1 next  
38 following his election, or, if appointed, at the regular meeting of the board  
39 of trustees next following such appointment. At the first meeting after  
40 a trustee assumes office, an oath of office shall be administered to the  
41 trustee, whether elected, reelected or appointed. Said oath may be adminis-  
42 tered by the clerk, or by another trustee, of the district, and the records

1 of the district shall show such oath of office to have been taken, and by whom  
2 administered and shall be filed with the official records of the district.

3 SECTION 2. An emergency existing therefor, which emergency is hereby  
4 declared to exist, this act shall be in full force and effect on and after its  
5 passage and approval, and retroactively to January 1, 2022.