

IN THE SENATE

SENATE BILL NO. 1111

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; AMENDING SECTION 50-707A, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING CITY COUNCIL ELECTIONS BY DISTRICT; AND DECLARING AN
3 EMERGENCY.
4

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

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

8 50-707A. ELECTION OF COUNCILMEN BY DISTRICTS. (1) Any city having
9 fewer than one hundred thousand (100,000) inhabitants based upon the most
10 recent federal decennial census may, by ordinance, provide for districts
11 and the election of councilmen by districts. Upon the adoption of such an
12 ordinance and at least one hundred twenty (120) days prior to each general
13 election, the governing body of the city shall establish the territory of
14 council districts in accordance with this section. Any city having more
15 than one hundred thousand (100,000) inhabitants based upon the most recent
16 federal decennial census shall establish districts and shall elect coun-
17 cilmen by such districts ~~for districts so established~~. Districts shall be
18 established no later than one hundred twenty (120) days prior to the general
19 election following the date that election precincts are established pur-
20 suant to the provisions of section 34-301, Idaho Code.

21 (2) Each district shall consist of one (1) or more contiguous election
22 precincts as established pursuant to the provisions of chapter 3, title 34,
23 Idaho Code, and each district shall, to the nearest extent possible, con-
24 tain the same ~~number of people~~ population based upon the most recent fed-
25 eral decennial census, with a maximum ten percent (10%) variance between the
26 least populated district and the most populated district. District bound-
27 aries shall be updated consistently with changes in city limit boundaries
28 and annexations.

29 (3) Each city establishing districts for the election of councilmen by
30 districts shall establish the number of districts corresponding to the num-
31 ber of council seats determined by the city pursuant to section 50-701, Idaho
32 Code, or for any city having a governing body governed by the provisions of
33 sections 50-801 through 50-812, Idaho Code, the number of council seats de-
34 termined by the city pursuant to section 50-805, Idaho Code.

35 (4) Districts will be drawn by a committee as established by ordinance.
36 The county clerk or designee shall be a nonvoting ex officio member to as-
37 sist the committee with regard to precincts, boundaries, and any other dis-
38 tricting issues. Districts must be compact. No shoestring districts or dis-
39 tricts drawn to protect incumbents are permitted. Districts must be redrawn
40 every ten (10) years following the decennial census. If a city's boundaries
41 change in the interim, the new territory must be joined to a contiguous dis-
42 trict. If two (2) districts are contiguous to the new territory, the ter-

1 ritory must be added to the district with the lower population, unless to do
2 so would result in a population variance greater than ten percent (10%). In
3 such a case, or if the districts are of equal population, the new territory
4 may be split evenly by population between the two (2) contiguous districts.
5 All proceedings of the committee must comply with the open meetings law set
6 forth in chapter 2, title 74, Idaho Code. All draft maps, memoranda, and
7 other records of the committee are public records subject to chapter 1, ti-
8 tle 74, Idaho Code.

9 (5) Upon establishment of city election districts, council members are
10 to be elected by the electors of the said geographic district, and any can-
11 didate must be a resident of said geographic district. For cities with fewer
12 than one hundred thousand (100,000) inhabitants that establish districts by
13 ordinance, the council shall determine, not less than ninety (90) days be-
14 fore the next general election, the method of the implementation of this or-
15 dinance.

16 (6) In order to transition from at-large elections to elections by dis-
17 trict, the following provisions apply:

18 (a) For the 2021 election of city council members, elections may con-
19 tinue to be at large, but members shall be elected for a two (2) year term
20 only.

21 (b) Districts shall be established using the 2020 federal decennial
22 census data at least one hundred twenty (120) days prior to the general
23 election held in 2023.

24 (c) For the 2023 election of city council members, all council member
25 seats shall be open for election, using the new districts established
26 under paragraph (b) of this subsection. In order to implement alternat-
27 ing terms, members elected to odd-numbered districts shall be elected
28 for four (4) year terms and members elected to even-numbered districts
29 shall be elected for two (2) year terms. Thereafter, all city council
30 members shall serve four (4) year terms, as provided in section 50-702,
31 Idaho Code.

32 (d) Following any subsequent redistricting of city council district
33 boundaries, any sitting council member shall be permitted to serve the
34 remainder of his term in order to preserve the staggering of terms. A
35 council member is not permitted to run for reelection to a district seat
36 in which the member is not a resident.

37 SECTION 2. An emergency existing therefor, which emergency is hereby
38 declared to exist, this act shall be in full force and effect on and after its
39 passage and approval.