

IN THE SENATE

SENATE BILL NO. 1277

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-111, IDAHO CODE, TO
REVISE PROVISIONS REGARDING THE QUALIFICATION OF VOTERS; AND DECLARING
AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 43-111, Idaho Code, be, and the same is hereby
amended to read as follows:

43-111. QUALIFICATIONS OF VOTERS -- VOTES BASED ON ASSESSED ACRES. (1)
No person shall be entitled to vote at any election held under the provi-
sions of this title for the purpose of electing directors, for the purpose
of determining whether indebtedness shall be created or bonds issued by the
district, or for any other purpose, unless he shall possess all the qual-
ifications required of electors under the general laws of the state, and
own ~~land within the district, or the proposed district~~ lands that are on the
district's assessment book prepared under section 43-701, Idaho Code, and
be a resident of the county in which the district, or a portion thereof, is
located for a period of thirty (30) or more days next preceding the elec-
tion; provided that the bylaws may, by resolution of two-thirds (2/3) of the
board and adoption by two-thirds (2/3) of the electors voting in a district
election conducted in accordance with the general election laws of the state
applicable to irrigation districts, set forth a provision allowing a dis-
trict landowner to vote, if the landowner possesses all the qualifications
required of electors under the general laws of the state and has resided
within fifteen (15) miles of the district for a period of at least thirty (30)
days prior to the election.

(2) After approval by a majority of the electors voting upon the issue
in a district election conducted using the elector criteria of subsection
(1) of this section, in subsequent district elections, a person having the
qualifications described in subsection (1) of this section shall have the
right to cast one (1) vote for each acre of ~~assessed land~~ on the district
assessment book and a proportionate vote for each fraction of an acre of
~~assessed land~~ on the district assessment book owned by him within the dis-
trict. Co-owners or multiple owners of parcels of land shall cast no more
than the total number of votes represented by the acres or fraction of acres
of assessed land within the district.

SECTION 2. An emergency existing therefor, which emergency is hereby
declared to exist, this act shall be in full force and effect on and after
July 1, 2022.