

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 212

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO PUBLIC LIBRARY DISTRICTS; AMENDING SECTION 33-2704, IDAHO CODE,  
TO REVISE A PROVISION REGARDING PETITIONING TO PROPOSE A LIBRARY DIS-  
TRICT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 33-2704, Idaho Code, be, and the same is hereby  
amended to read as follows:

33-2704. PETITION -- VERIFICATION -- NOTICE AND HEARING. (1) A peti-  
tion or petitions, signed by ~~fifty (50) or more~~ not less than twenty percent  
(20%) of the qualified electors residing in who reside within the boundaries  
of the proposed library district, giving the name of the proposed district,  
describing the boundaries thereof including a map prepared in a draftsman-  
like manner, and praying for the establishment of the territory therein de-  
scribed as a public library district, shall be filed with the clerk or clerks  
of the boards of county commissioners of the counties in which the proposed  
district is situated.

The petition or petitions shall be verified by at least one (1) quali-  
fied elector, which verification shall state that the affiant knows that all  
of the parties whose names are signed to the petition are qualified electors  
of the proposed district, and that their signatures to the petition were made  
in his presence. The verification may be made before any notary public.

(2) When the petition or petitions are presented to the board of county  
commissioners and filed in the office of the clerk of the board, the board  
shall set the time for a hearing, which time shall be not less than three (3)  
nor more than six (6) weeks from the date of the presentation and filing of  
the petition. Notice of the time of hearing shall be published by the board  
at least once a week for two (2) weeks prior to the time set for the hearing,  
in a newspaper of general circulation within the county in which the proposed  
district is situated.

(3) The notice shall state that a library district is proposed to be  
established, giving the proposed boundaries and name thereof, and that any  
resident elector within the proposed boundaries of the proposed district may  
appear and be heard in regard to:

- (a) The form of the petition;
- (b) The genuineness of the signatures;
- (c) The legality of the proceedings; and
- (d) Any other matters in regard to the creation of the library district.

(4) Concurrently with the notice of hearing, the board of county com-  
missioners shall notify, in writing, the governing body of any tax supported  
library within the boundaries of the proposed library district. If any gov-  
erning body decides that it is not in the best interest of library services to  
be included within the proposed library district, they shall present a res-

1 olution stating this to the county commissioners, not less than one (1) week  
2 prior to the date of hearing.

3 (5) No later than ten (10) days after the hearing, the board of county  
4 commissioners shall make an order thereon with or without modification,  
5 based upon the public hearing and their determination of whether the pro-  
6 posed library district would be in keeping with the declared public policy  
7 of the state of Idaho in regard to library districts as more particularly set  
8 forth in section 33-2701, Idaho Code, and, shall accordingly fix the bound-  
9 aries and certify the name of the proposed district in the order granting the  
10 petition. The boundaries so fixed shall be the boundaries of the district  
11 after its establishment is completed as provided in this chapter.

12 SECTION 2. An emergency existing therefor, which emergency is hereby  
13 declared to exist, this act shall be in full force and effect on and after  
14 July 1, 2025.