

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 477

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO AUDITORIUM DISTRICTS; AMENDING SECTION 67-4930, IDAHO CODE, TO  
2 REVISE PROVISIONS REGARDING THE DISSOLUTION OF AN AUDITORIUM DISTRICT  
3 AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PRO-  
4 VIDING AN EFFECTIVE DATE.  
5

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

7 SECTION 1. That Section 67-4930, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 67-4930. DISSOLUTION OF DISTRICT -- PROCEDURE. An auditorium district  
10 may be dissolved as follows:

11 (a) Any person or persons may file a petition for the dissolution of  
12 an auditorium district with the clerk. Such petition, which may be in one  
13 (1) or more papers, shall state the name of the district and shall be signed  
14 by not less than three thousand (3,000) qualified electors resident within  
15 the boundaries of the district or fifteen percent (15%) of the total num-  
16 ber of qualified electors resident within the boundaries of the district,  
17 whichever is less.

18 (b) Within thirty (30) days after the filing of such petition, the  
19 county commissioners shall determine whether or not the same substantially  
20 complies with the requirements of this section. If the county commissioners  
21 find that there has not been substantial compliance with such requirements,  
22 they shall enter an order to that effect specifying the particular deficien-  
23 cies and dismissing the petition. If the county commissioners find that  
24 there has been substantial compliance with such requirements, the county  
25 commissioners shall forthwith enter an order to that effect and ~~calling~~ call  
26 an election upon for the dissolution of such district to be held at the same  
27 time as the next county general election, as provided in this section.

28 (c) If the county commissioners order an election as provided in this  
29 section, such election shall be conducted and notice thereof given by the  
30 county clerk in accordance with the provisions of title 34, Idaho Code.

31 (d) Immediately after such election, the county commissioners shall  
32 canvass the vote as provided in chapter 12, title 34, Idaho Code. If one-half  
33 (1/2) or more of the votes cast at such election are against the dissolution  
34 of such district, the county commissioners shall enter an order so find-  
35 ing and declaring that such district shall not be dissolved. If more than  
36 one-half (1/2) of the votes cast at such election are in favor of dissolving  
37 such district, the county commissioners shall enter an order so finding and  
38 declaring such district duly dissolved. The county commissioners shall  
39 cause one (1) certified copy of such order to be filed in the office of the  
40 county recorder of such county. Immediately upon the entry of such order,  
41 the dissolution of such district shall be complete.

1 (e) Upon such dissolution being complete, title to all property of the  
2 dissolved district shall vest in the county where such property is situated.  
3 The county commissioners shall then: sell and dispose thereof in the man-  
4 ner provided by law for the sale or disposition of county property; apply the  
5 proceeds thereof to pay any lawful claims against the dissolved district, if  
6 any; and apply the balance remaining, if any, to any public purpose within  
7 the county.

8 (f) When the boundaries of the district lie in two (2) or more counties,  
9 the county commissioners of each county shall act separately in the elec-  
10 tion and dissolution of that part of the district contained in their county  
11 but the county commissioners of each such county shall meet together before  
12 calling such election and provide for uniform proceedings in each county. If  
13 there is any balance remaining after sale and disposition of the property of  
14 such dissolved district, it shall be prorated among such counties in propor-  
15 tion to each county's share of the total assessed valuation of such dissolved  
16 district for the preceding calendar year.

17 (g) After such election, the validity of the proceedings hereunder  
18 shall not be affected by any defect in the petition or in the number or  
19 qualifications of the signers thereof, and in no event shall any action be  
20 commenced or maintained or defense made affecting the validity of the dis-  
21 solution of such district after six (6) months has expired from the date of  
22 entering the order declaring the dissolution of such district.

23 SECTION 2. An emergency existing therefor, which emergency is hereby  
24 declared to exist, this act shall be in full force and effect on and after  
25 July 1, 2024.