

## Draft Legislation (9/8/2020)

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

(2) Each district shall consist of one (1) or more contiguous election precincts as established pursuant to the provisions of chapter 3, title 34, Idaho Code, and each district shall, to the nearest extent possible, contain ~~the same number of people~~ populations within 10% of population variance based upon the most recent federal decennial census. Districts shall be updated consistently with changes in city limit boundaries and annexations.

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

(4) Districts shall be drawn by a committee as established by ordinance. The County Clerk or his or her appointee shall be a non-voting *ex officio* member to assist the committee with regard to precincts, boundaries, and any other districting issues. Districts must be compact. No shoe string districts or protection of incumbents shall be permitted within the districting process. Districts shall be redrawn every 10 years consistent with the decennial census. If a city's boundaries change in the interim the new territory shall be joined to a contiguous district with the priority if two districts are contiguous that the new territory shall join the district with the lower population. All proceedings of the committee shall comply with the open meetings law. All draft maps, memoranda, and other records of the committee shall be public records subject to the public records law.

~~(4)~~(5) Upon establishment of city election districts, council members are to be elected by the electors of the said geographic district, and any candidate must be a resident of said geographic district. For cities with fewer than one hundred thousand (100,000) inhabitants that establish districts by ordinance, the council shall determine, not less than ninety (90) days before the next general election, the method of the implementation of this ordinance. If the districts are

of equal population, and the new territory is contiguous to two districts, then the territory may be split evenly by population between the two contiguous districts.

(6) Upon the establishment of the first boundaries under this section, sitting council members shall be permitted to serve the remainder of their term in order to preserve the staggered terms. A council member may not run for re-election to a district seat in which the member is not a resident.

(7) All maps of districts shall be kept in the office of the City Clerk and the County Clerk wherein the city is located. All maps of districts shall be public records and copies provided upon request.

(8) This law shall be effective January 1, 2022.