

2021 Library Election FAQ

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Q. When can elections for bonds, levy overrides, or plant facilities levies be held?

A. The uniform dates on which most library **elections** may be conducted are the ***third Tuesday in May of each year*** and the ***Tuesday following the first Monday in November of each year*** [Idaho Code sections [34-106\(1\)\(a\)](#) and [\(b\)](#)]. A possible exception would be an election to recall a library trustee. See below for library district trustee elections.

Q. How and when do I notify the county clerk if we are having an election for a bond or override or plant facilities levy?

A. The Secretary of State compiles an [election calendar](#) each year.

A. Your [county clerk](#) will contact you before November 30th each year for information on any elections your library might be holding [I.C. § [34-1405](#)].

A. If you decide to have an election during the year and fail to notify the county clerk by November 30, you must let the county know at least 50 days before the proposed election [I.C. §§ [34-106](#), [34-1404](#)].

Q. When are trustee elections?

A. Trustee elections shall be held on the uniform election date in May, in odd-numbered years only [I.C. §§ [33-2705](#), [33-2715\(1\)](#) and [\(2\)](#)]. The procedure for nomination and election of trustees of a library district shall be as provided for in [chapter 14, title 34](#), Idaho Code, and in the general election laws of Idaho [I.C. § [33-2716](#)].

Q. How long does a district library trustee serve?

A. Library district trustee terms are for six (6) years.

- The term of a trustee elected in 2015 will end in 2021.
- The term of a trustee elected in 2017 will end in 2023.
- The term of a trustee elected in 2019 will end in 2025.

Q. What if a trustee leaves the board mid-term?

A. A declaration of vacancy on the library's board of trustees must be made at a regular or special meeting of the board of trustees within thirty (30) days of when any trustee (a) dies; (b) resigns from office; (c) no longer resides in his respective trustee zone of residence [*if the library district has trustee zones*]; (d) is no longer a resident or qualified elector of the public library district; (e) refuses to serve as trustee; (f) without excuse acceptable to the board of trustees, fails to attend two (2) consecutive regular meetings of the board; or (g) is recalled and discharged from office as provided in I.C. § [33-2716](#). Within 60 days of declaring a vacancy, the board is required to appoint a person qualified to serve as trustee of the public library district. In the event that the board of trustees fails to exercise its authority, appointments shall be made by the board of county commissioners of the home county in which the district is located within thirty (30) days after the expiration of the sixty (60) days allowed for trustees for this action.

A. Any person appointed as provided in I.C. § [33-2716](#) shall serve until the next election of public library district trustees following the appointment. At the election — held on the uniform election date in May, in odd-numbered years only — a trustee shall be elected to complete the unexpired term of the office which was declared vacant and filled by appointment [I.C. § [33-2715\(1\)](#)].

A. The elected trustee shall assume office at the library board's annual meeting of the public library district following the election [I.C. § [33-2715](#)]. The annual meeting of a library district shall be on the date of its first regular meeting in June [I.C. § [33-2719](#)].

Q. Who pays for the election?

A. With the exception of a district establishment election, the county pays election costs [I.C. § [63-802C](#)].

Q. How is election notification given?

A. The county will make legal notifications for the election, including publishing the notice for petitions for candidacy.

A. Petitions will be filed with the clerk of the library district [I.C. § [34-1404](#)].

A. The county will publish the notice(s) of election [I.C. § [34-1406](#)].

Q. What if one candidate has been nominated for each position to be filled?

A. If after the expiration of the date for filing written nominations, only one (1) candidate has been nominated for each position to be filled; and, there has been no declaration of intent to be a write-in candidate filed as provided in section [33-2717A](#), Idaho Code, no election will be conducted [I.C. §§ [33-2717](#), [34-1407](#)].

Q. What if my district lies in more than one county?

A. Elections in a joint school district or other political subdivisions that extend beyond the boundaries of a single county shall be conducted jointly by the clerks of the respective counties, and the clerk of the home county shall exercise such powers as are necessary to coordinate the election [I.C. § [34-1401](#)]. “Home county” means the county where the designated district headquarters is located when a public library district’s boundaries include territory located in more than one (1) county [I.C. § [33-2702\(3\)](#)].

Q. How do I know what my library district is responsible for and what the county is responsible for?

- A. The county is responsible for: a) providing nominating petitions; b) taking care of the election process, including conducting the election and canvassing the vote; and c) notifying districts about deadlines and notification responsibilities [I.C. §§ [34-1401](#), [34-1404](#), [34-1410](#)].
- A. The clerk of the library district is responsible for: a) distributing and collecting petitions and acting as the liaison with the county clerk; b) verifying the qualifications of the nominee; and c) issuing [certificates of election](#) [I.C. §§ [34-1404](#), [34-1410](#)].
- A. The Idaho Secretary of State will send out an election guide to the counties. Counties will then coordinate with districts within the county. The county will notify districts about deadlines and notification responsibilities.

Q. Where can I find more information?

- A. Contact your [county clerk](#) or the [Elections Division](#) of the Idaho Secretary of State's Office.
- A. For the most current Idaho Code citations, check online at <https://legislature.idaho.gov/statutesrules/idstat/>.

2021 Library Election Timeline

This calendar may be updated due to changes made during the 2021 session of the Idaho Legislature.

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Date	Activity	Idaho Code §§
Friday, March 5 through Friday, March 12	County clerk must publish a notification of the candidate filing deadline for the May 18 election during this week in the official newspaper(s) of the library district.	<u>34-1405</u>
Friday, March 19	Nonpartisan Candidate Filing Deadline: Petitions must be filed by 5:00 p.m.—with the clerk of the library district—to nominate trustee candidates—for the May 18 election.	<u>34-1404</u>
Friday, March 26	Last day for the clerk of the library district to certify trustee nominees—to be placed on the ballot—for the May 18 election.	<u>34-1404</u>
Friday, March 26	Last day for write-in candidates to file a declaration of intent with the clerk of the clerk of the library district for the May 18 election.	<u>34-1407</u>
Monday, March 29	Last day for the library district to submit ballot language to the county clerk for any bond, levy, initiative, referendum, recall, or any other question—to be placed on the ballot—for the May 18 election.	<u>34-106</u>
Friday, April 2	Last day a candidate can withdraw from the May 18 election.	<u>34-1405A</u>
Thursday, May 6	Deadline for the county clerk to publish the first notice of election—in the county’s official newspaper(s)—for the May 18 election. If possible, the notice should appear in at least two newspapers published in the county. If not possible, it should be published in one newspaper published or circulated in the county.	<u>34-602</u> , <u>34-1406</u>

Thursday, May 13	Deadline for county clerk to publish the second notice of election—along with a facsimile sample ballot—for the May 18 election. If possible, the notice should appear in at least two newspapers published in the county. If not possible, it should be published in one newspaper published or circulated in the county.	34-602 , 34-1406
Tuesday, May 18	Election Day: Polling places—and the county clerk’s office—to be open from 8 a.m. until 8 p.m. (*County clerk may opt to open at 7:00 a.m.) Qualified individuals may register and vote at their designated polling place on election day.	34-211 , 34-408A , 34-1101
Friday, May 28	Deadline for the board of county commissioners to meet and conduct the canvass—of the May 18 election.	34-1410
Friday, May 28	Deadline for county clerks to certify the results—of the May 18 election—to the clerk of the library district. (*This date may vary; to be done immediately after the county canvass.)	34-1410
Friday, May 28	Deadline for the clerk of the library district to issue certificates of election . (*This date may vary; to be done immediately after the canvass, the deadline for which is May 28.)	34-1410
Thursday, August 19	Deadline for county clerk to publish the first notice of election—in the county’s official newspaper(s)—for the August 31 election. If possible, the notice should appear in at least two newspapers published in the county. If not possible, it should be published in one newspaper published or circulated in the county.	34-602 , 34-1406
Thursday, August 26	Deadline for county clerk to publish the second notice of election—along with a facsimile sample ballot—for the August 31 election. If possible, the notice should appear in at least two newspapers published in the county. If not possible, it should be published in one newspaper published or circulated in the county.	34-602 , 34-1406

Tuesday, August 31	Election Day: Polling places—and the county clerk’s office—to be open from 8:00 a.m. to 8:00 p.m. (*County clerk may opt to open at 7 a.m.) Qualified individuals may register and vote at their designated polling place on election day.	34-211 , 34-408A , 34-1101
Friday, September 10	Deadline for the board of county commissioners to meet and conduct the canvass—of the August 31 election.	34-1410
Monday, September 13	Deadline for library districts to submit ballot language to the county clerk for any bond, levy, initiative, referendum, or other question—to be placed on the ballot—for the November 2 election.	34-1406
Thursday, October 21	Deadline for county clerk to publish the first notice of election—in the county’s official newspaper(s)—for the November 2 election. If possible, the notice should appear in at least two newspapers published in the county. If not possible, it should be published in one newspaper published or circulated in the county.	34-602 , 34-1406
Thursday, October 28	Deadline for county clerk to publish the second notice of election along with a facsimile sample ballot—for the November 2 election. If possible, the notice should appear in at least two newspapers published in the county. If not possible, it should be published in one newspaper published or circulated in the county.	34-602 , 34-1406
Tuesday, November 2	Election Day: Polling places—and the county clerk’s office—to be open from 8:00 a.m. to 8:00 p.m. (*County clerk may opt to open at 7 a.m.) Qualified individuals may register and vote at their designated polling place on election day.	34-211 , 34-408A , 34-1101
Friday, November 12	Deadline for the board of county commissioners to meet and conduct the canvass—of the November 2 election.	34-1205 , 34-1410
Friday, November 12	Deadline for county clerks to certify the results of the November 2 election to the clerk of the	34-1410

library district. (*This date may vary; to be done immediately after the county canvass.)

**Friday, November
12**

Deadline for the clerk of the library district to issue certificates of election. (*This date may vary; to be done immediately after the county canvass.)

34-1410