

**SCHOOL AND COMMUNITY COLLEGE DISTRICT  
BOND ELECTIONS – Updated 2-28-07**

<b>REQUIREMENTS</b>	<b>2/3 VOTE BONDS</b>	<b>PROP. 39 (NOV. 2000 ELECTION) 55% VOTE BONDS</b>
Votes needed to approve bond measure	Two-thirds of the votes cast by the voters voting on the proposition. <i>CA Cons. Art XIII §1 (b) (2) &amp; Art XVI, §18 (a), Ed. Code §15124</i>	55 percent of the voters of the district voting on the proposition. <i>CA Cons. Art XIII §1(b) (3) &amp; Art XVI, §18 (b), Ed. Code §15264</i>
Election Date	Any Tuesday. The law specifies it cannot be held on a Tuesday within 45 days of a statewide election, unless it is held on an established polling place or mail ballot election date pursuant to Elections Code §1000 and §1500. <i>Elec. Code §1003(g) Ed. Code §15101 &amp; 15341</i>  Note: Elections called may be consolidated with another election. <i>(§10400, et. al) of Elec. Code</i>	A primary or general election, a regularly scheduled local election at which all of the electors of the school district are entitled to vote (this does not equate to established election dates (Elec. Code §1000) – another election must already be scheduled to occur in the jurisdiction encompassing the entire school district), or a statewide special election <i>Ed. Code §15266</i>
Ballot Question	75 words <i>Ed. Code §5322</i>  A brief statement of the measure, setting forth the amount of the bonds to be voted upon, the maximum rate of interest, and the purposes for which the proceeds of the sale of the bonds are to be used shall be printed upon the ballot.  The words to appear upon the ballots shall be "Bonds--Yes" and "Bonds--No" <i>Ed. Code §15122</i>	75 words <i>Ed. Code §5322</i>  A brief statement of the measure, setting forth the amount of the bonds to be voted upon, the maximum rate of interest, and the purposes for which the proceeds of the sale of the bonds are to be used shall be printed upon the ballot.  The words to appear upon the ballots shall be "Bonds--Yes" and "Bonds--No" <i>Ed. Code §15122</i>

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<p>Ballot Wording - May appear in the 75-word ballot question, ballot text, or tax rate statement.</p>		<p>The 55% vote requirement would apply <b>only</b> if the local bond measure presented to the voters includes:</p> <ul style="list-style-type: none"> <li>(A) A requirement that the bond funds be used only for construction, rehabilitation, equipping of school facilities or the acquisition or lease of real property for school facilities, and</li> <li>(B) A list of the specific school facilities projects to be funded and certification that the school board has evaluated safety, class size reduction, and information technology needs in developing that list and</li> <li>(C) A requirement that the school board conduct annual, independent financial and performance audits until all bond funds have been spent to ensure that the bond funds have been used only for the projects listed.</li> </ul> <p style="text-align: right;"><i>CA Cons, §1, (b) (3) Ed. Code § 15272</i></p>
<p>Election Procedures</p>	<p>Procedures to be governed by Elections Code provisions applicable to statewide elections.</p> <p style="text-align: right;"><i>Ed. Code §5390, 15120</i></p>	<p>Procedures to be governed by Elections Code provisions applicable to statewide elections.</p> <p style="text-align: right;"><i>Ed. Code §5390, 15120</i></p>

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Governing body to place bond measure on ballot.	Majority vote of governing body.  <i>Ed. Code §15100</i>	2/3 vote of governing body.  <i>Ed. Code §15266</i>
Election Call	Governing body, not less than E-88, shall, by resolution (Specifications of the Election Order) provide the: 1) date of election 2) purpose of election 3) authority for calling election 4) signature of officer/clerk of the governing board 5) exact wording of ballot question (not to exceed 75 words) 6) consolidation request pursuant to Elections Code §10400 and 10403 if applicable.  <i>Ed. Code §5322</i>	Governing body, not less than E-88, shall, by resolution (Specifications of the Election Order) provide the: 1) date of election 2) purpose of election 3) authority for calling election 4) signature of officer/clerk of the governing board 5) exact wording of ballot question (not to exceed 75 words) 6) consolidation request pursuant to Elections Code §10400 and 10403 if applicable.  <i>Ed. Code §5322</i>
Formal Notice of election	None required. Formal notice of school bond elections is accomplished by publication by the elections official of the deadline to file arguments following submission of the election order.  <i>Ed. Code §5361</i>	None required. Formal notice of school bond elections is accomplished by publication by the elections official of the deadline to file arguments following submission of the election order.  <i>Ed. Code §5361</i>

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Publication Notices	<p>The following notices are published by the elections official:</p> <ul style="list-style-type: none"> <li>• Final Date to Submit Arguments (E-88 or soon thereafter) <i>Elec. Code §9502</i></li> <li>• Notice of Polling Places and Precinct Officers (E-7) <i>Elec. Code §12105; Gov Code §6061</i></li> <li>• Notice of Central Counting Place (E-10) <i>Elec. Code §12109</i></li> </ul>	<p>The following notices are published by the elections official:</p> <ul style="list-style-type: none"> <li>• Final Date to Submit Arguments (E-88 or soon thereafter) <i>Elec. Code §9502</i></li> <li>• Notice of Polling Places and Precinct Officers (E-7) <i>Elec. Code §12105; Gov Code §6061</i></li> <li>• Notice of Central Counting Place (E-10) <i>Elec. Code §12109</i></li> </ul>
Tax Rate Statement	<p>Statement must be printed in Sample Ballot booklet. Last day to file with elections official is E-88. <i>Elec. Code §9401</i></p> <p>No requirement to publish copy of this statement. <i>Elec. Code § 9402 (b)</i></p>	<p>Statement must be printed in Sample Ballot booklet. Last day to file with elections official is E-88. <i>Elec. Code §9401</i></p> <p>No requirement to publish copy of this statement. <i>Elec. Code §9402 (b)</i></p>

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Maximum Tax Rate Levy	<p>The total amount of bonds issued, shall not exceed 1.25% (for school districts) and 2.25% (for unified &amp; community college districts) of the taxable property of the district.</p> <p style="text-align: center;"><i>. Ed. Code §15101 &amp; §15106</i></p>	<p>The total amount of bonds issued, shall not exceed 1.25% (for school districts) and 2.25% (for unified &amp; community college districts) of the taxable property of the district.</p> <p>The tax rate levied as the result of any single election may be no more than</p> <ul style="list-style-type: none"> <li>• \$60 (for a unified school district)</li> <li>• \$30 (for a school district)</li> <li>• \$25 (for a community college district)</li> </ul> <p>per \$100,000 of taxable property value.</p> <p style="text-align: center;"><i>Ed. Code §15268 &amp; §15270</i></p>
<p>Notice to Voters (re: matching state funds)</p> <p>May be printed under the impartial analysis. If not required, get in writing from district.</p> <p>Does not apply to Mello-Roos bond elections.</p>	<p>The following notice must be printed in the Sample Ballot booklet if the projects to be funded by the bonds require state matching money. <i>Ed. Code §15122.5</i></p> <p>"Approval of Measure _ does not guarantee that the proposed project or projects in the _ School District that are the subject of bonds under Measure _ will be funded beyond the local revenues generated by Measure _. The school district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."</p>	<p>The following notice must be printed in the Sample Ballot booklet if the projects to be funded by the bonds require state matching money. <i>Ed. Code §15122.5</i></p> <p>"Approval of Measure _ does not guarantee that the proposed project or projects in the _ School District that are the subject of bonds under Measure _ will be funded beyond the local revenues generated by Measure _. The school district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."</p>

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Impartial Analysis Arguments, Rebuttals	County Counsel required to prepare impartial analyses. <i>Elec. Code § 9500</i> Arguments and rebuttals may be filed within timeframe established by elections official. <i>Elec. Code §9500-9605</i>	County Counsel required to prepare impartial analyses. <i>Elec. Code §9500</i> Arguments and rebuttals may be filed within timeframe established by elections official. <i>Elec. Code §9500-9605</i>
Election Results	Elections official prepares certified statement of the results and submits to the governing body. <i>Elec. Code §15372</i>	Elections official prepares certified statement of the results and submits to the governing body. <i>Elec. Code §15372</i>
Election Costs	The cost of any election held within a single district shall be borne by the district and shall be paid out of its funds. Election costs shall be determined by the elections official and approved by the county board of supervisors. <i>Ed. Code §5421</i> The cost of consolidated elections shall be borne by the districts affected in equal shares and paid from district funds. <i>Ed. Code §5422</i>	The cost of any election held within a single district shall be borne by the district and shall be paid out of its funds. Election costs shall be determined by the elections official and approved by the county board of supervisors. <i>Ed. Code §5421</i> <i>(See Ed. Code §15266(b) for authority)</i> The cost of consolidated elections shall be borne by the districts affected in equal shares and paid from district funds. <i>Ed. Code §5422</i> <i>(See Ed. Code §15266(b) for authority)</i>

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School District report to County Superintendent of Schools	The governing body shall report to the County Superintendent of Schools a report which includes: 1) total amount of bond issued 2) % of registered voters of the district who voted at election 3) results of the election with % of votes cast for and against the bond measure <i>Ed. Code §15111</i>	The governing body shall report to the County Superintendent of Schools a report which includes: 1) total amount of bond issued 2) % of registered voters of the district who voted at election 3) results of the election with % of votes cast for and against the bond measure <i>Ed. Code §15111</i>
Bond Counsel's request of Certificate from elections official	Following the election, bond counsel will request a Certificate from the elections official which will include a copy of 1) Sample Ballot Booklet 2) Proof of Publication of Election Notices 3) Election Results	Following the election, bond counsel will request a Certificate from the elections official which will include a copy of 1) Sample Ballot Booklet 2) Proof of Publication of Election Notices 3) Election Results