

HB 2356 -- LOCAL TAX BALLOT QUESTIONS

SPONSOR: Byrnes

This bill prohibits political subdivisions from describing ballot questions that would authorize the issuing of bonds, levy increases, or other tax-supported indebtedness as "no-tax-increase bond issues" or as imposing no financial obligation on taxpayers.

The bill requires such questions to include, in plain language:

- 1) Whether the question would increase, decrease, or maintain the current debt service levy;
- 2) The estimated dollar impact on the average residential real property in the political subdivision, as calculated by the county assessor and verified by the State Auditor; and
- 3) A disclosure that bond issuance constitutes a financial obligation for the political subdivision that must be repaid by taxpayers.

This bill requires the State Auditor to certify ballot language submitted by a political subdivision prior to the language being placed on the ballot. The auditor will have 30 days to review the language and issue a report.

If the auditor determines that the language is misleading or otherwise noncompliant, the political subdivision must revise and resubmit the language prior to certification.

The Attorney General can enjoin a political subdivision from placing a question on the ballot if the language wasn't certified by the auditor. If a court finds language to be noncompliant with these requirements, the question will be prohibited from appearing on the ballot, and the political subdivision will be prohibited from placing the question on the ballot again until the following general election cycle.

The requirements in this bill are in addition to all other statutory requirements relating to ballots questions submitted to voters by a political subdivision.