

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SJR 4a

48th Legislature, 2nd Session, 2008

Short Title: School Elections with Other Elections, CA

Sponsor(s): Senator Michael S. Sanchez and Others

Analyst: David Harrell

Date: February 4, 2008

AS AMENDED

The Senate Rules Committee amendments prohibit school elections from being held at the same time as partisan elections but allow them to be held at the same time as nonpartisan elections.

Original Bill Summary:

SJR 4 proposes to amend Article 7, Section 1 of the state constitution to allow school elections to be held at the same time as other elections.

Fiscal Impact:

As a joint resolution, SJR 4 contains no appropriation.

There may be a fiscal impact, however, in terms of a point noted in the analysis (FIR) by the Legislative Finance Committee: "Combining school board elections with other elections should lessen school district costs . . . for holding elections that are conducted through the office of the county clerk."

Issues:

In addition to the potential fiscal impact noted above, the FIR suggests that consolidating school elections with other elections might increase voter turnout for school elections, which typically attract far fewer voters than primary or general elections. Making the same point is the analysis by the Public Education Department, which cites, as an example, a turnout of only 1,317 of nearly 97,000 registered voters in a 2007 school board election in Doña Ana County. Moreover, the National School Boards Association has found that holding school district elections in conjunction with national or state elections has increased turnout for board elections by as much as 18 percent.

Another potential consequence of SJR 4 would be to combine nonpartisan school elections with partisan elections, in particular the higher profile primary and general elections. According to the National School Boards Association, school elections, which are typically nonpartisan, were originally separated from general elections "in order to separate partisan politics from schooling." Thus, it was by design that school board elections "are held at times when the body politic is more inactive," rather than in conjunction with "more visible elections," like the general elections.

In addition, if SJR 4 were to pass and if its amendments were adopted by the voters:

- the Legislature would need not only to enact enabling legislation but also to amend certain sections of existing law (the *Election Code* and the *Public School Code* in particular) that provide for nonpartisan school district elections at times other than general elections; and
- county clerks throughout the state would be required to prepare ballots that not only distinguish between partisan and nonpartisan races but that also account for each voter's school district as well as the other precinct assignments used in ballot preparation.

Finally, a bill introduced in the House, noted below, would allow elections of members of community college boards to be held in conjunction with regular school district elections if the community college board and the local school board agree. In this case, however, both elections are nonpartisan; and in Santa Fe County, the point of origin of the initiative, the school district and the community college district share the same external boundaries and the same electorate.

Related Bill:

HB 249 *Community College & School District Elections*