

2025 ISBA RESOLUTION NO. 6

MODIFICATION TO IDAHO CODE 33-802(3) TO INCREASE THE TERM OF SUPPLEMENTAL MAINTENANCE AND OPERATION LEVIES FROM A MAXIMUM OF 2 YEARS TO A TERM NOT TO EXCEED 6 YEARS

WHEREAS, Section 33-802(3), Idaho Code, allows for a school district to propose a Supplemental Maintenance and Operation Levy to be submitted to the electors of the district; and

WHEREAS, section 33-802(3), Idaho Code, specifically states “for a period not to exceed (2) two years.”; and

WHEREAS, section 33-802(5), Idaho Code, does allow a provision under the specified criteria where a board “may submit the question for an **indefinite term** supplemental levy.”; and

WHEREAS, state funding of public schools is inadequate and nearly all districts rely on a Supplemental Maintenance and Operation Levy to supplement funds.

NOW, THEREFORE, BE IT RESOLVED, that the Idaho School Boards Association work with the Idaho State Department of Education, Idaho State Board of Education, and the Idaho Legislature to amend Idaho Code Section 33-802(3) Supplemental Maintenance and Operation levies as follows:

(3) Supplemental Maintenance and Operation Levies. No levy in excess of the levy permitted by this section shall be made by a noncharter district unless such a supplemental levy in a specified amount and for a specified time, from one (1) year to a maximum of six (6) years, be first authorized through an election held subject to the provisions of section 34-106, Idaho Code, and pursuant to title 34, Idaho Code, and approved by a majority of the district electors voting in such election. A levy approved pursuant to this subsection may be reduced by a majority vote of the board of trustees in the second year.

STATEMENT OF PURPOSE

Revising Idaho Code 33-802(3) to allow Supplemental Maintenance and Operation Levies to be approved by voters for a period of up to 6 years would allow school boards to propose a reasonable levy term that would work in their community without the fear of

a “permanent” levy as the only other option. The current two-year maximum term leaves districts spending an enormous amount of time and money to renew Supplemental Maintenance and Operation levies every other year. Providing longer options for the term will allow districts to operate with greater financial stability for a longer period of time and create stability among staff to focus on their primary purpose of education, while still setting a limit for boards and electors to reassess.

**Submitted by Coeur d’Alene School District No. 271
Boundary County School District No. 101
Madison School District No. 321**

Recommendation from the ISBA Executive Board: DO PASS

Jason Knopp, Region 3, will address the Executive Board Recommendation at the ISBA Business Session.

PASSED	AYES	7029
	NAYES	717
	TOTAL	7746