

Library District Elections

With the signing of Senate Bill 1674 by Governor Bush in June 1997, Texas joined 22 other states that permit some form of taxation to directly fund public libraries. Local Government Code 326 allows the creation of library districts which are funded through sales tax. The legislation allows taxpayers to vote on funding only the library, thus preventing politicians from tying the vote to other less popular issues. Once approved, the funding can only be used to support the library, so the library's budget does not compete with any other governmental service.

Federal, state, and county governments all play pivotal roles in library district elections. An election committee will put in many months of work. They will need to start by deciding:

- the boundaries of the library district
- the date of the election
- the tax rate level (capped at 1/2%; no entity within the district may have a total local sales tax rate above 2%)
- candidates for the five slots on the Library District Board on the petition
- who will conduct the election campaign (county, school district, library district)
- how to pay for the election
- who will serve on the steering committee to plan and coordinate all activities related to the election

There are a number of government agencies involved in the process. Someone will need to be in frequent contact with each one as each plays a significant role:

- **County Commissioner Court** - calls the election, canvasses the results and, if the vote is favorable, notifies the Comptroller's office
- **County Commissioner** - advocates for the district and promotes County cooperation
- **County Clerk** - may conduct the election
- **Voter Registrar's Office** - validates petition signatures and certifies the petition
- **County Attorney** - approves the petition and may approve the ballot, election order, agreements and official wording *if* the county calls the election
- **Texas Secretary of State** - final authority on all election issues
- **Texas Comptroller's Office** - notifies businesses of sales tax details and collections responsibilities
- **US Justice Department** - provides pre-clearance for elections, checks for compliance with Voting Rights Act of 1964

Timing is critical both before and after the election.

- In order to call the election:
 - a petition must be circulated and presented to the County Commissioner's Court
 - a uniform election date must be selected
 - a submission must be made to the Justice Department for pre-clearance to hold an election
 - notices must be posted for the election
- The entire concept will need to be sold to the electorate. Done well, this effort can eat up a *lot* of time and energy. The steering committee will need to assign one person to coordinate the publicity and marketing of the campaign. A timeline of specific events, presentations, mailouts, and media publicity should be developed.
- After the election:
 - the vote must be canvassed in County Commissioner's Court
 - the Comptroller's Office must be notified of the election results
 - any assets must be transferred from the previous library entity to the new library district
 - the appropriate period of time must pass before sales tax revenue is collected and distributed to the district

The good news is that 15 library districts have already survived this process!