

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 54

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; AMENDING SECTION 34-1113, IDAHO CODE, TO REMOVE A
2 PROVISION REGARDING PERSONAL IDENTIFICATION AT THE POLLS; REPEALING
3 SECTION 34-1114, IDAHO CODE, RELATING TO AN AFFIDAVIT IN LIEU OF PER-
4 SONAL IDENTIFICATION; AMENDING SECTION 34-409, IDAHO CODE, TO REMOVE
5 A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION
6 34-1012, IDAHO CODE, TO REMOVE A CODE REFERENCE AND TO MAKE A TECHNICAL
7 CORRECTION; AMENDING SECTION 34-1106, IDAHO CODE, TO REMOVE A CODE REF-
8 ERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 34-1113, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 34-1113. IDENTIFICATION AT THE POLLS. All voters shall be required
14 to provide personal identification before voting at the polls or at absent
15 electors polling places as required by section 34-1006, Idaho Code. The per-
16 sonal identification that may be presented shall be one (1) of the following:

17 (1) An Idaho driver's license or identification card issued by the Idaho
18 transportation department;

19 (2) A passport or an identification card, including a photograph, is-
20 sued by an agency of the United States government;

21 (3) A tribal identification card, including a photograph; or
22 ~~(4) A current student identification card, including a photograph, is-~~
23 ~~sued by a high school or an accredited institution of higher education, in-~~
24 ~~cluding a university, college or technical school, located within the state~~
25 ~~of Idaho; or~~

26 (4) (4) A license to carry concealed weapons issued under section
27 18-3302, Idaho Code, or an enhanced license to carry concealed weapons is-
28 sued under section 18-3302K, Idaho Code.

29 SECTION 2. That Section [34-1114](#), Idaho Code, be, and the same is hereby
30 repealed.

31 SECTION 3. That Section 34-409, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 34-409. ELECTRONIC REGISTRATION. (1) The office of the secretary of
34 state may create and maintain an electronic system for voter registration
35 that is publicly available on its official website. Any qualified elector
36 who has a current valid driver's license or identification card issued pur-
37 suant to title 49, Idaho Code, that reflects the person's current princi-
38 pal place of residence, may register to vote by submitting a completed voter
39 registration application electronically through such website. Electronic

1 voter registration applications shall be submitted before the close of reg-
2 istration as provided in section 34-408, Idaho Code.

3 (2) The electronic voter registration application shall be in a form
4 prescribed by the secretary of state and shall:

5 (a) Require the information under oath or affirmation set forth in sec-
6 tion 34-411, Idaho Code;

7 (b) Include notice of the requirement to provide personal identifi-
8 cation before voting at the polls as set forth in sections ~~34-1113 and~~
9 ~~34-1114~~, Idaho Code; and

10 (c) Require an electronic signature of the applicant.

11 (3) The office of the secretary of state shall obtain a digital copy
12 of the applicant's driver's license or identification card signature from
13 the Idaho transportation department. The Idaho transportation department
14 shall, upon request of the office of the secretary of state, provide a dig-
15 ital copy of the applicant's driver's license or identification card signa-
16 ture.

17 (4) Upon receipt of a completed voter registration application and a
18 digital copy of the applicant's driver's license or identification card sig-
19 nature from the Idaho transportation department, the office of the secre-
20 tary of state shall send the information to the county clerk for the county
21 in which the applicant resides. The county clerk shall prepare and issue to
22 each elector registering electronically a verification of registration con-
23 taining the name and residence of the elector and the name or number of the
24 precinct in which the elector resides. Such verification of registration
25 may be sent by nonforwardable ~~first-class~~ first class mail or by electronic
26 mail at the elector's option. If a verification is returned undeliverable,
27 then the county clerk shall remove the elector from the register of electors.

28 (5) An applicant using the electronic system for voter registration
29 pursuant to this section shall not be required to complete a printed regis-
30 tration card.

31 (6) The office of the secretary of state shall use such security mea-
32 sures necessary to ensure the accuracy and integrity of an electronically
33 submitted voter registration application.

34 SECTION 4. That Section 34-1012, Idaho Code, be, and the same is hereby
35 amended to read as follows:

36 34-1012. ALTERNATIVE PROCEDURES FOR ABSENTEE VOTING -- EARLY VOT-
37 ING. (1) Those counties that utilize absentee voting facilities that have
38 access to the Idaho statewide voter registration system and count ballots at
39 a central location or utilize a polling location-based tabulation system may
40 elect to conduct "early voting" according to the provisions of this section.
41 For those counties that elect to do "early voting," early voting shall begin
42 on or before the third Monday before the election and end at 5:00 p.m. on
43 the Friday before the election. Primary election ballots shall be issued
44 pursuant to section 34-1002(2), Idaho Code.

45 (2) A voter who appears at an "early voting" station to vote shall state
46 his or her name and address to the election official and present the voter's
47 identification as required by sections ~~34-1113 and 34-1114~~, Idaho Code.

48 (3) The election official shall examine the records to ascertain
49 whether or not such applicant is registered and lawfully entitled to vote

1 as requested. The provisions of section 34-408A, Idaho Code, authorizing
2 election day registration shall also apply in determining the applicant's
3 qualifications to vote.

4 (4) Before receiving a ballot, each elector shall sign his or her name
5 in the election register and poll book provided for early voting.

6 (5) The elector shall then be given the appropriate ballots contain-
7 ing the official election ballot identification pursuant to section 34-901,
8 Idaho Code, and shall be given folding instructions for such ballots, if ap-
9 propriate.

10 (6) Upon receipt of the ballots, the elector shall retire to a vacant
11 voting booth and mark the ballots according to the instructions provided.

12 (7) After marking the ballot, the elector shall present himself or her-
13 self to the election official at the ballot box and state his or her name and
14 address. The elector shall then deposit the ballot in the ballot box or hand
15 it to the election official, who shall deposit it. The election official
16 shall then record that the elector has voted and proclaim the same in an audi-
17 ble voice.

18 (8) Voters requiring assistance shall be provided with such assistance
19 in accordance with section 34-1108, Idaho Code.

20 (9) Electioneering is prohibited at an early voting polling place as
21 provided in section 18-2318, Idaho Code.

22 SECTION 5. That Section 34-1106, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 34-1106. SIGNING COMBINATION ELECTION RECORD AND POLL BOOK -- DELIV-
25 ERY OF BALLOT TO ELECTOR. (1) An elector desiring to vote shall state his
26 name and address to the judge or clerk in charge of the combination election
27 record and poll book.

28 (2) Before receiving his ballot, each elector shall sign his name in
29 the combination election record and poll book following his name therein
30 and show a valid photo identification as provided for in section 34-1113,
31 Idaho Code, ~~or personal identification affidavit as provided for in section~~
32 ~~34-1114, Idaho Code.~~

33 (3) No person shall knowingly sign his name in the combination election
34 record and poll book if his residence address is not within that precinct at
35 the time of signing.

36 (4) If the residence address of a person contained in the combination
37 election record and poll book is incorrectly given due to an error in prepa-
38 ration of the combination election record and poll book, the judge shall as-
39 certain the correct address and make the necessary correction.

40 (5) The elector shall then be given the appropriate ballots which have
41 been marked with the official election ballot identification and shall be
42 given folding instructions for such ballots.

43 SECTION 6. An emergency existing therefor, which emergency is hereby
44 declared to exist, this act shall be in full force and effect on and after
45 July 1, 2023.