

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 618

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONEERING MESSAGES; AMENDING SECTION 74-407, IDAHO CODE,  
2 TO REVISE PROVISIONS REGARDING TAX-RELATED CORRESPONDENCE, TO PROVIDE  
3 FOR ELECTED PUBLIC OFFICIALS, TO DEFINE A TERM, AND TO MAKE TECHNICAL  
4 CORRECTIONS; AMENDING SECTION 67-1022, IDAHO CODE, TO PROHIBIT CERTAIN  
5 CONTENT ON WARRANTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFEC-  
6 TIVE DATE.  
7

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

9 SECTION 1. That Section 74-407, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 74-407. ~~TAX COMMISSION CORRESPONDENCE -- COUNTY PROPERTY TAX TAX-RE-~~  
12 ~~LATED CORRESPONDENCE.~~ (1) Neither the name of any elected public official,  
13 nor any electioneering message, shall appear on ~~tax-commission tax-related~~  
14 correspondence with from the state of Idaho to a taxpayer, whether or not it  
15 includes a check, warrant, or rebate, or on a county ~~property tax-related~~  
16 correspondence with a taxpayer, whether or not it includes a check, warrant,  
17 or rebate, unless acting as an endorser of a check, warrant, or rebate or un-  
18 less otherwise necessary for the proper execution of a check, warrant, or re-  
19 bate. This provision shall not apply to standard letterhead of the ~~tax com-~~  
20 ~~mission state~~ or of a county.

21 (2) For the purposes of this section, "electioneering message" shall  
22 include statements regarding, expressing support for, or soliciting support  
23 for any:

24 (a) Governmental program or initiative; or

25 (b) Nonprofit corporation, including any program or initiative of a  
26 nonprofit corporation.

27 SECTION 2. That Section 67-1022, Idaho Code, be, and the same is hereby  
28 amended to read as follows:

29 67-1022. WARRANTS, HOW DRAWN -- PROHIBITIONS -- LOST WARRANTS. (1) All  
30 warrants must be drawn in the order prescribed by the state controller.

31 (2) Except for the state controller as the issuing officer, neither the  
32 name of any elected public official, nor any electioneering message shall  
33 appear on any warrant, including in any remittance advice or remittance  
34 memo, unless acting as an endorser or otherwise necessary for the proper ex-  
35 ecution of a warrant. For the purposes of this subsection, "electioneering  
36 message" shall include statements regarding, expressing support for, or so-  
37 liciting support for any government program or initiative or non-profit cor-  
38 poration, including any program or initiative of a nonprofit corporation.

39 ~~(2)~~ (3) In case of the loss or destruction of any warrant heretofore is-  
40 sued or that may be issued by the state controller, and, after notice by the

1 involved agency to the state controller to stop payment on the lost or de-  
2 stroyed warrant the state controller is hereby authorized to issue his re-  
3 placement warrant to take the place of the warrant so lost or destroyed, upon  
4 satisfactory certification of the loss of the said warrant. In the issuance  
5 of any such replacement warrant, the state controller may require an indem-  
6 nity bond, conditioned upon the payment to the state of Idaho of any loss  
7 or damage or obligation by reason of the said lost warrant becoming a claim  
8 against the state; and, it shall be the duty of the state controller to notify  
9 the state treasurer of the issuance of the said replacement warrant.

10 SECTION 3. An emergency existing therefor, which emergency is hereby  
11 declared to exist, this act shall be in full force and effect on and after  
12 July 1, 2024.