

IN THE SENATE

SENATE BILL NO. 1297

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDI-  
2 TION OF A NEW SECTION 34-409, IDAHO CODE, TO PROVIDE FOR ELECTRONIC REG-  
3 ISTRATION; AMENDING SECTION 49-321, IDAHO CODE, TO PROVIDE ADDITIONAL  
4 DUTIES OF THE IDAHO TRANSPORTATION DEPARTMENT UPON REQUEST OF THE OF-  
5 FICE OF THE SECRETARY OF STATE; AND DECLARING AN EMERGENCY.  
6

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

8 SECTION 1. That Chapter 4, Title 34, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 34-409, Idaho Code, and to read as follows:

11 34-409. ELECTRONIC REGISTRATION. (1) The office of the secretary of  
12 state may create and maintain an electronic system for voter registration  
13 that is publicly available on its official website. Any qualified elector  
14 who has a current valid driver's license or identification card issued pur-  
15 suant to title 49, Idaho Code, that reflects the person's current princi-  
16 pal place of residence, may register to vote by submitting a completed voter  
17 registration application electronically through such website. Electronic  
18 voter registration applications shall be submitted before the close of reg-  
19 istration as provided in section 34-408, Idaho Code.

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

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

24 (b) Include notice of the requirement to provide personal identifica-  
25 tion before voting at the polls as set forth in section 34-1113, Idaho  
26 Code; and

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

28 (3) The office of the secretary of state shall obtain a digital copy  
29 of the applicant's driver's license or identification card signature from  
30 the Idaho transportation department. The Idaho transportation department  
31 shall, upon request of the office of the secretary of state, provide a dig-  
32 ital copy of the applicant's driver's license or identification card signa-  
33 ture.

34 (4) Upon receipt of a completed voter registration application and a  
35 digital copy of the applicant's driver's license or identification card sig-  
36 nature from the Idaho transportation department, the office of the secre-  
37 tary of state shall send the information to the county clerk for the county  
38 in which the applicant resides. The county clerk shall prepare and issue  
39 to each elector registering electronically a verification of registration  
40 containing the name and residence of the elector and the name or number of  
41 the precinct in which the elector resides. Such verification of registra-  
42 tion may be sent by nonforwardable first-class mail or by electronic mail at

1 the elector's option. If a verification is returned undeliverable, then the  
2 county clerk shall remove the elector from the register of electors.

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

6 (6) The office of the secretary of state may use such security measures  
7 necessary to ensure the accuracy and integrity of an electronically submit-  
8 ted voter registration application.

9 SECTION 2. That Section 49-321, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 49-321. RECORDS TO BE KEPT BY THE DEPARTMENT. (1) The department shall  
12 file every application for a driver's license received by it and shall main-  
13 tain suitable indices containing:

14 (a) All applications denied and on each note the reason for denial;

15 (b) All applications granted;

16 (c) The name of every licensee whose driver's license has been sus-  
17 pended, revoked, canceled, denied or disqualified by the department and  
18 after each name note the reasons for the action;

19 (d) The driver's license number for the applicant; and

20 (e) The social security number of the applicant.

21 (2) The department shall file the original or copy of the medical exam-  
22 iner's certificates, medical exemption letters and skill performance evalu-  
23 ation certificates of all commercial driver's license or instruction permit  
24 holders required to provide documentation of their physical qualification.  
25 The department shall maintain the document(s) for a period of three (3) years  
26 beyond the date the certificate or document was issued.

27 (3) The department shall also file all accident reports and abstracts  
28 of court records of convictions received by it under the law from any juris-  
29 diction and is authorized to forward records of convictions, suspensions or  
30 disqualifications to any jurisdiction. Records may be in either paper or  
31 electronic form. The department shall maintain convenient records or make  
32 suitable notations in order that an individual record of each licensee show-  
33 ing the convictions and the traffic accidents in which the licensee has been  
34 involved shall be readily ascertainable and available for consideration of  
35 the department upon any application for renewal of a driver's license and at  
36 other suitable times.

37 (4) The department of health and welfare, on or about the 25th day of  
38 each month shall, upon the request of the department, furnish the department  
39 a listing showing the name, age, county of residence, and residence address  
40 of each Idaho resident who has died during the preceding month. The listing  
41 shall be used only for purposes of updating the driver's license files of the  
42 department and shall be subject to disclosure according to chapter 1, title  
43 74, Idaho Code.

44 (5) The department, upon request by the office of the secretary of  
45 state, shall provide the office of the secretary of state with a digital copy  
46 of the driver's license or identification card signature of a person who is  
47 an applicant for voter registration pursuant to section 34-409, Idaho Code.

1           SECTION 3. An emergency existing therefor, which emergency is hereby  
2 declared to exist, this act shall be in full force and effect on and after its  
3 passage and approval.