

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 254

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-901, IDAHO CODE, TO REVISE PROVISIONS REGARDING OFFICIAL ELECTION BALLOT IDENTIFICATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 34-901, Idaho Code, be, and the same is hereby amended to read as follows:

34-901. OFFICIAL ELECTION BALLOT IDENTIFICATION. (1) The county clerk shall provide that all election ballots are identified as official. Each ballot shall have upon its face the date and year of the election in which it is used and the words "Official Election Ballot." To ensure the authenticity of all ballots cast in Idaho elections, each county clerk shall employ anti-fraud measures as provided in this section. All measures selected by a county clerk shall be tested and verified before each election, and the county clerk shall notify the county board of canvassers which measures are being used for each election. The confidentiality of each voter's choices shall be maintained in accordance with section 1, article VI of the constitution of the state of Idaho, which guarantees the absolute secrecy of all ballots.

~~(2) The clerk in a county that utilizes optical scan ballots shall ensure that:~~

~~(a) The official election ballot identification is printed on each ballot issued; and~~

~~(b) Each ballot contains a unique marking to prevent duplication of official election ballots.~~

~~(3) The clerk in a county that utilizes paper or other ballots shall provide an official election stamp of such character or device and of such material as the board of county commissioners may select. In the event such stamp is lost, destroyed or unavailable upon election day, the distributing clerk shall initial each ballot and write "stamped" upon the ballot in the appropriate place.~~

(2) For counties using voting machines as provided in chapter 24, title 34, Idaho Code, the county clerk shall use at least two (2) of the following anti-fraud measures on all ballots prior to being issued to the voter:

(a) Assignment of a unique identifier to each ballot in the form of a barcode or quick response code. The unique identifiers shall be randomly generated and non-sequential such that the identifier is never associated with the identity of the voter. The unique identifier shall be assigned to the ballot prior to being submitted to a scanner or tabulator;

(b) Printing of ballots on watermarked paper or display of a unique watermark image on each ballot;

1 (c) Printing of a hologram design on each ballot that is unique to each
2 election. The hologram design shall be such that if a ballot is copied,
3 the hologram design will change and not match the original;

4 (d) Printing of ballots on security paper such that, if copied, the copy
5 will display that it is a copy and not the original; or

6 (e) Stamping or printing of the words "Official Election Ballot" on
7 each ballot at the time it is issued to the voter.

8 (3) For counties hand counting the tally of votes, each ballot shall,
9 at the time it is issued to the voter, be stamped or have printed the words
10 "Official Election Ballot" along with the date of the election.

11 (4) The clerk shall maintain documentation of the security measures
12 taken and the chain of custody of all ballots.

13 SECTION 2. An emergency existing therefor, which emergency is hereby
14 declared to exist, this act shall be in full force and effect on and after
15 July 1, 2025.