

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 259

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING
2 SECTION 67-6614A, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLI-
3 CATION OR DISTRIBUTION OF POLITICAL STATEMENTS; AND DECLARING AN EMER-
4 GENCY AND PROVIDING AN EFFECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The Legislature finds that
8 the State of Idaho has a substantial interest in preserving the integrity of
9 the electoral process by combating voter confusion. Preventing voter con-
10 fusion is crucial in facilitating secure elections because it directly im-
11 pacts voter confidence, voter participation, and the overall integrity of
12 the electoral process.

13 The Legislature further finds that when voters clearly understand the
14 voting process and the information presented to them, they are more likely
15 to trust the election outcomes. This trust is foundational for the perceived
16 legitimacy of elected officials and the democratic system as a whole. Re-
17 quiring the disclosure of party affiliation in the publication or distribu-
18 tion of political statements will help voters understand the information be-
19 ing presented to them in such statements as it will provide helpful context
20 to assist them in processing the information they receive. Such party affil-
21 iation information is already required to be indicated on the declaration of
22 candidacy forms for candidates running in partisan elections. The disclo-
23 sure of party affiliation in political statements is a continuation of dis-
24 closure and transparency requirements already implemented in other areas of
25 the electoral process.

26 The Legislature further finds that requiring party affiliation disclo-
27 sure will assist in preventing voting errors such as selecting the wrong can-
28 didate or improperly marking a ballot. If voters are informed of the party
29 affiliation of a candidate or of the political committee sponsoring a polit-
30 ical statement, they will be less likely to vote for a candidate or measure
31 that does not align with their values because the information they received
32 lacked this valuable information. Reducing such errors ensures that votes
33 are accurately cast and counted, reflecting the true will of the electorate.

34 The Legislature further finds that requiring party affiliation disclo-
35 sure will assist in mitigating the impact of misinformation. Providing ac-
36 curate and easily understandable information about the person publishing or
37 distributing political statements, including such person's party affilia-
38 tion, will assist in counteracting the effects of misinformation and dis-
39 information. When voters are well-informed, they are less susceptible to
40 false narratives that could influence their voting decisions or discourage
41 them from voting altogether.

42 The Legislature further finds that clear and accurate communication
43 concerning persons or entities publishing or distributing political state-

1 ments reduces the burden on election officials by decreasing the number of
2 voter inquiries and the need for corrective measures. This efficiency al-
3 lows officials to focus on maintaining security protocols and managing the
4 election process effectively.

5 The Legislature further finds that voter confusion can lead to unintentional
6 disenfranchisement of voters, where voters are unable to successfully
7 cast their ballots due to misunderstandings. Ensuring clarity in all
8 election-related political statements helps protect the voting rights of
9 all citizens.

10 It is therefore the intent of the Legislature, in order to facilitate
11 the foregoing interests, to require any person who makes an expenditure for
12 the financing of the publication or distribution of political statements
13 to disclose with such statement the political affiliation of such person
14 if such person is affiliated with a political party, and, if the political
15 statement is in support of a candidate, the party affiliation of the candi-
16 date.

17 SECTION 2. That Section 67-6614A, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 67-6614A. PUBLICATION OR DISTRIBUTION OF POLITICAL STATEMENTS. When-
20 ever any person makes an expenditure for the purpose of financing communica-
21 tions expressly advocating the election, approval or defeat of a candidate,
22 measure or person standing for election to the position of precinct commit-
23 teeman through any broadcasting station, newspaper, magazine, website, mo-
24 bile application, text message, outdoor advertising facility, direct mail-
25 ing, yard sign, bumper sticker, pamphlet, display card, poster, billboard,
26 campaign button, or any other type of general public political advertising,
27 the person responsible for such communication shall be clearly indicated on
28 such communication as well as such person's political party affiliation, if
29 any, and if the political statement is in support of a candidate the party af-
30 iliation of the candidate, if any.

31 SECTION 3. An emergency existing therefor, which emergency is hereby
32 declared to exist, this act shall be in full force and effect on and after
33 July 1, 2025.