

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 307

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; AMENDING CHAPTER 2, TITLE 34, IDAHO CODE, BY THE ADDI-  
2 TION OF A NEW SECTION 34-221, IDAHO CODE, TO PROVIDE THAT THE SECRETARY  
3 OF STATE SHALL INVESTIGATE FALSE CLAIMS AGAINST CANDIDATES AND TO DE-  
4 FINE A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 2, Title 34, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 34-221, Idaho Code, and to read as follows:

10 34-221. SECRETARY OF STATE TO INVESTIGATE FALSE CLAIMS AGAINST CANDI-  
11 DATES. (1) Any candidate for office who believes that false information has  
12 been published about him during an election campaign may report such claim  
13 to the secretary of state who shall investigate the claim. If the secretary  
14 of state finds the claim to be verifiably false, he shall give the publish-  
15 ing party seven (7) days to respond to his findings; provided, however, that  
16 if the secretary of state finds a claim to be verifiably false within two (2)  
17 weeks of an election, the publishing party shall have forty-eight (48) hours  
18 to respond. After the secretary of state receives the publishing party's re-  
19 sponse, if any, he shall post his findings on the secretary of state's web-  
20 site by the end of the next business day.

21 (2) As used in this section, "publish" means to communicate information  
22 to any one (1) or more persons either by telephone, radio, television, inter-  
23 net, or in a writing of any kind.

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