

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 339

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; PROVIDING LEGISLATIVE INTENT; REPEALING SECTION 34-433, IDAHO CODE, RELATING TO MONTHLY CORRECTION OF ELECTION REGISTER FROM REPORTED DEATHS; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-433, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE ACCURACY OF VOTER REGISTRATION INFORMATION; AMENDING SECTION 39-270, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature that only eligible citizens may vote in the United States of America. Additionally, it is the intent of the Legislature that the Secretary of State must strive to maintain the accuracy and integrity of Idaho's statewide registration system, ensure that only eligible Idaho voters are registered to vote in Idaho, and cooperate with other governmental entities to prevent and fight against voter fraud in the United States. For the sole purpose of achieving the legislative intent, the Secretary of State shall request, receive, and utilize data specified in this act.

SECTION 2. That Section [34-433](#), Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Chapter 4, Title 34, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 34-433, Idaho Code, and to read as follows:

34-433. ACCURACY OF VOTER REGISTRATION INFORMATION. (1) In order to maintain the accuracy of voter registration records in Idaho:

(a) The following state entities shall furnish to the secretary of state on or about the twenty-fifth day of each month all data relevant to determining the accuracy of voter registrations as follows:

(i) The department of health and welfare shall furnish a listing showing the legal name, date of birth, county of residence, and residence address of each Idaho resident who has died during the preceding month, and all other data relevant to determining the accuracy of voter registrations, including but not limited to age information, social security numbers, driver's license numbers, and citizenship information, including United States customs and immigration services numbers or alien registration numbers if available, of any person included in its records;

(ii) The department of transportation shall furnish a listing showing driver's license and state identification address changes and new driver's license and state identification issuances, including photographs and digital signatures, and all other data

1 relevant to determining the accuracy of voter registrations,
2 including but not limited to legal names, dates of birth, age in-
3 formation, social security numbers, driver's license numbers,
4 residence addresses, and citizenship information, including
5 United States customs and immigration services numbers or alien
6 registration numbers if available, of any person included in its
7 records; and

8 (iii) The department of correction shall furnish a listing showing
9 the legal names, dates of birth, conviction statuses, probation
10 or parole data, former counties of residence, and former residence
11 addresses of all offenders in its custody, in addition to all other
12 data relevant to determining the accuracy of voter registrations,
13 including but not limited to age information, social security num-
14 bers, driver's license numbers, residence addresses, and citizen-
15 ship information, including United States customs and immigration
16 services numbers or alien registration numbers if available, of
17 any person in its custody; and

18 (b) The secretary of state shall:

19 (i) Annually, but no later than December 31 of each year, re-
20 quest from the state tax commission a listing showing the legal
21 names, dates of birth, residence addresses, residence changes,
22 social security numbers, driver's license numbers, citizenship
23 statuses, alien registration numbers, and homestead exemption
24 records of any person included in its records. Once requested, the
25 tax commission shall furnish such information no later than thirty
26 (30) days from the date of the request;

27 (ii) Biannually, but no later than February 1 and July 31 of each
28 year, request from the federal government any data available
29 and relevant to assist in ensuring the integrity and accuracy
30 of Idaho's voter registration information. Such data requested
31 may include but shall not be limited to legal names, dates of
32 birth, residence addresses, residence changes, social security
33 numbers, driver's license numbers, citizenship statuses and ver-
34 ifications, death records, United States customs and immigration
35 services numbers, alien registration numbers, and all available
36 information contained in the systematic alien verification for
37 entitlements database administered by the United States depart-
38 ment of homeland security and criminal conviction records;

39 (iii) On a monthly basis, request from the United States social se-
40 curity administration any data relevant to assist in ensuring the
41 integrity and accuracy of voter registration information, includ-
42 ing but not limited to data available from the help America vote
43 verification information system maintained by the social security
44 administration;

45 (iv) At any time and at the discretion of the secretary of state,
46 request from the federal government, including but not limited to
47 the United States department of homeland security, the offices of
48 the United States attorneys, the social security administration,
49 and United States postal service, any data available and rele-
50 vant that would assist in ensuring the integrity of Idaho's voter

1 registration information, verify voter eligibility, and ver-
2 ify United States citizenship status, including but not limited
3 to dates of birth, driver's license numbers, addresses, United
4 States customs and immigration services numbers, alien registra-
5 tion numbers, and death records; and

6 (v) At any time and at the discretion of the secretary of state,
7 request from any entity, including cities, counties, state enti-
8 ties, other states, and third-party data providers any informa-
9 tion that would assist in ensuring the integrity of Idaho's voter
10 registration information, verify voter eligibility, and ver-
11 ify United States citizenship status, including dates of birth,
12 driver's license numbers, addresses, and death records. Entities
13 located in or subject to the jurisdiction of Idaho subject to the
14 provisions of this subparagraph shall comply within thirty (30)
15 days of the secretary of state's request.

16 (2) The secretary of state may enter into cooperative compacts and
17 agreements with other states or groups of states to compare voter lists, to
18 identify individuals who are registered to vote in more than one (1) state,
19 to maintain the accuracy of voter lists, and to determine the current res-
20 idence of each such individual to verify such individual's eligibility to
21 remain registered to vote in Idaho. The secretary of state is authorized
22 to contract with commercial data providers, including but not limited to
23 credit agencies and commercial data providers, to assist the secretary of
24 state's efforts in verifying and auditing information in voter registration
25 lists, including but not limited to citizenship status and residence. All
26 sensitive personal data, such as driver's license numbers, social security
27 numbers, and dates of birth, shall be protected from public disclosure ex-
28 cept as provided in chapter 1, title 74, Idaho Code.

29 (3) (a) No later than ninety (90) days before a statewide election, the
30 secretary of state shall review all new voter registration data re-
31 ceived since the previous statewide election and verify the accuracy
32 of the new voter registration data by comparing such against the data
33 provided by the systematic alien verification for entitlements program
34 operated by the United States department of homeland security.

35 (b) After completing any comparisons of the information provided in
36 paragraph (a) of this subsection, the secretary of state shall sort
37 all statewide voter registration information by county and furnish a
38 copy of the same to each county clerk along with all relevant informa-
39 tion concerning voter eligibility of individuals in each county. Each
40 county clerk shall immediately review the information and initiate can-
41 cellations of all registrations of individuals reported as deceased or
42 determined to be ineligible to vote.

43 (c) The secretary of state and county clerks shall conduct routine re-
44 views of the voter registration records within the statewide voter reg-
45 istration system to identify any anomalies, such as duplicate registra-
46 tions, registrations at business addresses, large numbers of registra-
47 tions at a single address, and correct districting information.

48 (4) The secretary of state shall, in conjunction with the county
49 clerks, make an annual report to the legislature regarding voter registra-

1 tion maintenance actions performed by them, and provide recommendations to
2 the legislature to improve and ensure an effective list maintenance process.

3 SECTION 4. That Section 39-270, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 39-270. DISCLOSURE OF INFORMATION. (a) Certificates and records in
6 the custody of the state registrar shall be open to inspection subject to
7 the provisions of this chapter and the rules of the board, the provisions of
8 section 74-102, Idaho Code, to the contrary notwithstanding; and it shall
9 be unlawful for any state or local official or employee under this chapter
10 to disclose any data contained in the records, except as authorized by this
11 chapter and the rules of the board.

12 (b) A complete copy, or any part of a certificate, may be issued to any
13 applicant who can show direct and tangible interest in the record for which
14 he applies. A complete copy, or any part of a certificate, shall be issued
15 upon request or at the direction of the state registrar to a state, federal
16 or local public agency for child protection and child support enforcement
17 purposes or for the purpose of investigation of fraud. Subject to such pro-
18 visions as the board may prescribe, data contained on records may be used
19 by federal, state or municipal agencies for the purpose of verification of
20 data.

21 (c) As provided in chapter 1, title 74, Idaho Code, data contained on
22 records may be used for research, public health or statistical purposes. No
23 lists of registration shall be compiled for public use, except as provided in
24 section 34-433(2), Idaho Code.

25 (d) The manner of keeping local records and the use thereof shall be
26 prescribed by the board, in keeping with the provisions of this section.

27 (e) When one hundred (100) years have elapsed after the date of birth,
28 or fifty (50) years have elapsed after the date of death, stillbirth, mar-
29 riage or divorce, the records of these events in the custody of the state reg-
30 istrar shall become public records and information shall be made available
31 in accordance with chapter 1, title 74, Idaho Code.

32 SECTION 5. An emergency existing therefor, which emergency is hereby
33 declared to exist, this act shall be in full force and effect on and after
34 July 1, 2025.