

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 107

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ABSENTEE VOTING; AMENDING CHAPTER 10, TITLE 34, IDAHO CODE, BY  
2 THE ADDITION OF A NEW SECTION 34-1012, IDAHO CODE, TO PROVIDE ALTER-  
3 NATIVE PROCEDURES FOR ABSENTEE VOTING AND EARLY VOTING; AND AMENDING  
4 CHAPTER 10, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
5 34-1013, IDAHO CODE, TO PROVIDE PROCEDURES FOR EARLY VOTING BALLOT SE-  
6 CURITY.  
7

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

9 SECTION 1. That Chapter 10, Title 34, Idaho Code, be, and the same is  
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
11 ignated as Section 34-1012, Idaho Code, and to read as follows:

12 34-1012. ALTERNATIVE PROCEDURES FOR ABSENTEE VOTING -- EARLY VOT-  
13 ING. Those counties that utilize absentee voting facilities that have access  
14 to the Idaho statewide voter registration system and count ballots at a  
15 central location may elect to conduct "early voting" according to the provi-  
16 sions of this section. For those counties that elect to do "early voting,"  
17 early voting shall begin on or before the third Monday before the election  
18 and end at 5:00 p.m. on the Friday before the election. Primary election  
19 ballots shall be issued pursuant to section 34-1002(2), Idaho Code.

20 (1) A voter who appears at an "early voting" station to vote shall state  
21 his or her name and address to the election official and present the voter's  
22 identification as required by sections 34-1113 and 34-1114, Idaho Code.

23 (2) The election official shall examine the records to ascertain  
24 whether or not such applicant is registered and lawfully entitled to vote  
25 as requested. The provisions of section 34-408A, Idaho Code, authorizing  
26 election day registration shall also apply in determining the applicant's  
27 qualifications to vote.

28 (3) Before receiving a ballot, each elector shall sign his or her name  
29 in the election register and poll book provided for early voting.

30 (4) The elector shall then be given the appropriate ballots that have  
31 been stamped with the official election stamp and shall be given folding in-  
32 structions for such ballots, if appropriate.

33 (5) Upon receipt of the ballots, the elector shall retire to a vacant  
34 voting booth and mark the ballots according to the instructions provided.

35 (6) After marking the ballot, the elector shall present himself or her-  
36 self to the election official at the ballot box and state his or her name and  
37 address. The elector shall then deposit the ballot in the ballot box or hand  
38 it to the election official, who shall deposit it. The election official  
39 shall then record that the elector has voted and proclaim the same in an audi-  
40 ble voice.

41 (7) Voters requiring assistance shall be provided with such assistance  
42 in accordance with section 34-1108, Idaho Code.

1           (8) Electioneering is prohibited at an early voting polling place as  
2 provided in section 18-2318, Idaho Code.

3           SECTION 2. That Chapter 10, Title 34, Idaho Code, be, and the same is  
4 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
5 ignated as Section 34-1013, Idaho Code, and to read as follows:

6           34-1013. EARLY VOTING BALLOT SECURITY. A detailed plan for the secu-  
7 rity of ballots for early voting shall be submitted to the secretary of state  
8 for approval no later than thirty (30) days before early voting begins. At a  
9 minimum, the following procedures must be followed:

10          (1) The ballot boxes used for casting early ballots shall remain locked  
11 and secured with a numbered seal until the time of tabulation on election  
12 day.

13          (2) A record shall be maintained consisting of the number of ballots is-  
14 sued by date and seal number of each ballot box used for early voting.

15          (3) Arrangements shall be made to have a deputy sheriff, police officer  
16 or bonded private security firm secure the location.

17          (4) The actual counting of ballots shall not begin until election day,  
18 and the results shall not be released to the public until all voting places in  
19 the state have closed.