

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 585

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO VACANCIES; AMENDING SECTION 59-904A, IDAHO CODE, TO REVISE HOW
2 VACANCIES IN THE LEGISLATURE ARE FILLED.
3

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

5 SECTION 1. That Section 59-904A, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 59-904A. LEGISLATURE -- VACANCIES, HOW FILLED. In the event of a va-
8 cancy in the house of representatives or senate of the state of Idaho, such
9 vacancy shall be filled as herein provided. The legislative district com-
10 mittee of the same political party, if any, of the former member whose seat
11 is vacant shall submit, within fifteen (15) days, a list of ~~three (3) nomi-~~
12 ~~nations~~ one (1) name to the governor. The governor shall fill the vacancy by
13 appointment ~~from the list of three (3) nominations~~ within fifteen (15) days.
14 If no appointment has been made within fifteen (15) days, the legislative
15 district committee shall designate one (1) ~~of the three (3) nominees~~ name to
16 fill the vacancy. The vacancy shall be so filled until the next general elec-
17 tion after such vacancy occurs, when such vacancy shall be filled by elec-
18 tion.

19 The legislative district committee of the same political party, if any,
20 of the former member, shall select a person who possesses the constitutional
21 qualifications to fill the vacant office to which he is nominated, and who is
22 affiliated with the same political party, if any, as the former member whose
23 seat is vacant. Upon the failure of the committee to make such selection be-
24 fore the expiration of the fifteen (15) day period the governor shall within
25 five (5) days, fill said vacancy by appointing a person having the qualifica-
26 tions above set forth.

27 The governor shall deliver a certificate of appointment to the secre-
28 tary of state and the presiding officer of the house of the legislature for
29 which the appointment is made.