

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 242

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; AMENDING SECTION 34-2309, IDAHO CODE, TO REVISE PRO-  
2 VISIONS AND PROCEDURES WHEN AN AUTOMATIC RECOUNT IN AN ELECTION OCCURS;  
3 AND DECLARING AN EMERGENCY.  
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 34-2309, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 34-2309. AUTOMATIC RECOUNT. A losing candidate for nomination, or  
9 election ~~to a federal, state, or county office,~~ or person supporting or  
10 opposing a ballot measure, may request a recount of the votes cast for the  
11 nomination or election to that office or passage or failure of a measure if  
12 the difference between the vote cast for that candidate and for the winning  
13 candidate for nomination or election, or the difference between the yes  
14 and no votes on a measure, is less than or equal to one-tenth of one percent  
15 (0.1%) of the total votes cast for that office. All requests shall be in  
16 writing, and filed with the ~~attorney general~~ appropriate officer during the  
17 time mentioned in section 34-2301, Idaho Code.

18 The state shall pay for the automatic recount of a federal, state, or  
19 legislative district office, or state measure while the county shall pay for  
20 the automatic recount of a county, city or district office or measure.

21 SECTION 2. An emergency existing therefor, which emergency is hereby  
22 declared to exist, this act shall be in full force and effect on and after its  
23 passage and approval.