

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 378

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE LEGISLATURE; AMENDING SECTION 59-904A, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING HOW VACANCIES ARE FILLED; AND DECLARING AN EMER-
3 GENCY.
4

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

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

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

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

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