AN ACT
RELATING TO INITIATIVES AND REFERENDUMS; AMENDING SECTION 34-1801A, IDAHO CODE, TO PROVIDE FOR CERTAIN INITIATIVE PETITION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1803B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE REMOVAL OF A SIGNATURE FROM A PETITION; AMENDING SECTION 34-1813, IDAHO CODE, TO REVISE PROVISIONS REGARDING EFFECTIVE DATES OF INITIATIVE AND REFERENDUM MEASURES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 66, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6612, IDAHO CODE, TO PROVIDE FOR THE DISCLOSURE OF PAYMENTS MADE TO SIGNATURE GATHERERS; AND PROVIDING SEVERABILITY.

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

SECTION 1. That Section 34-1801A, Idaho Code, be, and the same is hereby amended to read as follows:

34-1801A. PETITION. (1) An initiative petition shall embrace only one subject and matters properly connected with it. 
(2) The following shall be substantially the form of petition for any law proposed by the initiative:

WARNING
It is a felony for anyone to sign any initiative or referendum petition with any name other than his own, or to knowingly sign his name more than once for the measure, or to sign such petition when he is not a qualified elector.

INITIATIVE PETITION

To the Honorable...., Secretary of State of the State of Idaho:
We, the undersigned citizens and qualified electors of the State of Idaho, respectfully demand that the following proposed law (setting out full text of measure proposed) shall be submitted to the qualified electors of the State of Idaho, for their approval or rejection at the regular general election, to be held on the.... day of...., A.D.,...., and each for himself says: I have personally signed this petition; I am a qualified elector of the State of Idaho; my residence and legislative district are correctly written after my name.

(Signature)
Printed Name
Residence Street
City (Official Number)
Date (Use Only)
Legislative District

(Here follow no more than twenty numbered lines for signatures.)
(3) The petition for referendum on any act passed by the state legislature of the state of Idaho shall be in substantially the same form with appropriate title and changes, setting out in full the text of the act of the legislature to be referred to the people for their approval or rejection.

SECTION 2. That Section 34-1803B, Idaho Code, be, and the same is hereby amended to read as follows:

34-1803B. INITIATIVE AND REFERENDUM PETITIONS -- REMOVAL OF SIGNATURES. (1) The signer of any initiative or referendum petition may remove his or her own name from the petition by crossing out, obliterating or otherwise defacing his or her own signature at any time prior to the time when the petition is presented to the county clerk for signature verification.

(2) The signer of any initiative or referendum petition may have his or her name removed from the petition at any time after presentation of the petition to the county clerk but prior to verification of the signature, by presenting in writing or submitting electronically to the county clerk a signed statement that the signer desires to have his name removed from the petition. The statement shall contain sufficient information to clearly identify the signer. The county clerk shall immediately strike the signer's name from the petition, and adjust the total of certified signatures on the petition accordingly. The statement shall be attached to, and become a part of the initiative or referendum petition.

(3) Each signature page of an initiative or referendum petition shall state that any person signing a petition may remove his signature pursuant to this section.

SECTION 3. That Section 34-1813, Idaho Code, be, and the same is hereby amended to read as follows:

34-1813. COUNTING, CANVASSING AND RETURN OF VOTES -- EFFECTIVE DATES. (1) The votes on measures and questions shall be counted, canvassed, and returned by the regular boards of judges, clerks, and officers, as votes for candidates are counted, canvassed, and returned, and the abstract made by the several county auditors of votes on measures shall be returned to the secretary of state on separate abstract sheets in the manner provided for abstract of votes for state and county officers. It shall be the duty of the secretary of state, in the presence of the governor, to proceed within thirty (30) days after the election, and sooner if the returns be all received, to canvass the votes given for each measure, and the governor shall forthwith issue his proclamation, giving the whole number of votes cast in the state for and against such measure and question, and declaring such measures as are approved by a majority of those voted thereon to be in full force and effect as the law of the state of Idaho from the date of said proclamation, provided that if for any referendum measure. The effective date for an initiative measure shall be governed by the provisions of subsection (2) of this section. If two (2) or more measures shall be approved at said election which are known to conflict with each other or to contain conflicting provisions, he shall also proclaim which is paramount in accordance with the provisions of sections 34-1801 through 34-1822, Idaho Code.
(2)(a) A statewide initiative may contain an effective date, if passed, that shall be no earlier than July 1 of the year following the vote on the ballot initiative. If no effective date is specified in the petition, the effective date of a statewide initiative that has been approved by the electorate shall be July 1 of the following year.

(b) A city or county initiative may contain an effective date, if passed, that may be earlier than July 1 of the year following the vote on the ballot initiative, but no earlier than the mayor's proclamation as provided in section 34-1801B, Idaho Code, or the proclamation by the board of county commissioners, as provided in section 34-1801C, Idaho Code. If no effective date is specified in the petition, the effective date of a city or county initiative that has been approved by the electorate shall be July 1 of the following year.

SECTION 4. That Chapter 66, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-6612, Idaho Code, and to read as follows:

67-6612. DISCLOSURE OF PAYMENTS MADE TO SIGNATURE GATHERERS. (1) Any person who pays or provides other valuable consideration in an aggregate amount of one hundred dollars ($100) or more to another person or persons, in exchange for their actions or intended actions of gathering signatures on a ballot initiative petition or referendum, shall file a statement of the expenditure with the secretary of state.

(2) The provisions of this section shall apply beginning on the date that the ballot initiative or referendum petitioners receive from the secretary of state the official ballot title for which the person is paying to have signatures gathered and shall continue for as long as the filer makes payments to a signature gatherer or gatherers.

(3) Statements shall be filed on or before the twentieth day of the month following the month during which the payments to the signature gatherers were made.

(4) The statement shall contain the following information:

(a) The name and address of any signature gatherer to whom a payment in excess of fifty dollars ($50.00) has been made during the reported month; and

(b) The total sum of all payments made to signature gatherers in the aggregate during the reported month.

(5) In addition to the statements filed under subsection (3) of this section, any person who pays a signature gatherer or gatherers the aggregate amount of one thousand dollars ($1,000) or more during the fourteen (14) days prior to the election shall file a notice of the expenditures with the secretary of state no more than forty-eight (48) hours from the time of the expenditure. The notice shall include the information required under subsection (4) of this section.

SECTION 5. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.