

IN THE SENATE

SENATE BILL NO. 1062

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO CANDIDATES; AMENDING SECTION 34-702A, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING DECLARATIONS OF INTENT FOR WRITE-IN CANDIDATES;
3 AMENDING SECTION 34-708, IDAHO CODE, TO REVISE PROVISIONS REGARDING
4 SIGNATURE VERIFICATIONS FOR INDEPENDENT CANDIDATES; AND AMENDING SEC-
5 TION 34-708A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE
6 VERIFICATIONS FOR INDEPENDENT CANDIDATES AND TO MAKE TECHNICAL CORREC-
7 TIONS.
8

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

10 SECTION 1. That Section 34-702A, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 34-702A. DECLARATION OF INTENT FOR WRITE-IN CANDIDATES. (1) No
13 write-in vote for any office in a primary, special, or general election
14 shall be counted unless a completed declaration of intent form has been filed
15 indicating that the person desires the office and is legally qualified to
16 assume the duties of said office if elected. The declaration of intent shall
17 be filed with the secretary of state if for a federal, state, or legislative
18 district office and with the county clerk if for a county office. Such dec-
19 laration of intent shall be filed no later than the eighth Friday before the
20 day of election. For a write-in candidate for president, the declaration
21 shall include a certification of the write-in candidate's vice presidential
22 and presidential electors, all of whom must be qualified to serve in their
23 respective offices. The secretary of state shall prescribe the form for said
24 declarations.

25 (2) In those counties ~~which~~ that utilize optical scan ballots, an elec-
26 tor shall not place on the ballot a sticker bearing the name of a person, or
27 use any other method or device, except writing, to vote for a person whose
28 name is not printed on the ballot.

29 SECTION 2. That Section 34-708, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 34-708. INDEPENDENT CANDIDATES. (1) No person may offer himself as an
32 independent candidate at the primary election.

33 (2) Any person who desires to offer himself as an independent candi-
34 date for federal, state, district, or county office may do so by complying
35 strictly with the provisions of this section. In order to be recognized as an
36 independent candidate, each such candidate must file with the proper officer
37 as provided by section 34-705, Idaho Code, a declaration of candidacy as an
38 independent candidate, during the period specified in section 34-704, Idaho
39 Code. Such declaration must state that he is offering himself as an indepen-
40 dent candidate, must declare that he has no political party affiliation, and

1 must declare the office for which he seeks election. Each such declaration
2 must be accompanied by a petition containing the following number of signa-
3 tures of qualified electors:

- 4 (a) One thousand (1,000) for any statewide office;
5 (b) Five hundred (500) for any congressional district office;
6 (c) Fifty (50) for any legislative district office;
7 (d) Five (5) for any county office.

8 (3) Signatures on the petitions required in this section shall be veri-
9 fied in the manner prescribed in section 34-1807, Idaho Code, on a form simi-
10 lar to that used for recall petitions under chapter 17, title 34, Idaho Code,
11 as prescribed by the secretary of state.

12 (4) If all of the requirements of this section have been met, the proper
13 officer shall cause the name of each independent candidate who has qualified
14 to be placed on the general election ballot, according to instructions of the
15 secretary of state.

16 SECTION 3. That Section 34-708A, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 34-708A. INDEPENDENT CANDIDATES FOR PRESIDENT AND ~~VICE-PRESIDENT~~
19 VICE PRESIDENT. (1) Persons who desire to be independent candidates for the
20 offices of president and ~~vice-president,~~ vice president must file, prior
21 to August 25 of the election year, declarations of candidacy as independent
22 candidates. Such declarations must state that such persons are offering
23 themselves as independent candidates and must declare that they have no po-
24 litical party affiliation. The declarations shall have attached thereto a
25 petition signed by one thousand (1,000) qualified electors.

26 (2) The candidates for president and ~~vice-president~~ vice president
27 shall be considered as candidates for one (1) office, and only one (1) such
28 petition need be filed for both offices.

29 (3) Signatures on the petitions required in this section shall be ver-
30 ified in the manner prescribed in section 34-1807, Idaho Code, provided on
31 a form similar to that used for recall petitions under chapter 17, title 34,
32 Idaho Code, as prescribed by the secretary of state; except that the petition
33 circulators are not required to be Idaho residents.