LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature  First Regular Session - 2021

IN THE SENATE

SENATE BILL NO. 1062

BY STATE AFFAIRS COMMITTEE

AN ACT
RELATING TO CANDIDATES; AMENDING SECTION 34-702A, IDAHO CODE, TO REVISE PROVISIONS REGARDING DECLARATIONS OF INTENT FOR WRITE-IN CANDIDATES; AMENDING SECTION 34-708, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE VERIFICATIONS FOR INDEPENDENT CANDIDATES; AND AMENDING SECTION 34-708A, IDAHO CODE, TO REVISE PROVISIONS REGARDING SIGNATURE VERIFICATIONS FOR INDEPENDENT CANDIDATES AND TO MAKE TECHNICAL CORRECTIONS.

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

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

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

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

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

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

(2) Any person who desires to offer himself as an independent candidate for federal, state, district, or county office may do so by complying strictly with the provisions of this section. In order to be recognized as an independent candidate, each such candidate must file with the proper officer as provided by section 34-705, Idaho Code, a declaration of candidacy as an independent candidate, during the period specified in section 34-704, Idaho Code. Such declaration must state that he is offering himself as an independent candidate, must declare that he has no political party affiliation, and
must declare the office for which he seeks election. Each such declaration must be accompanied by a petition containing the following number of signatures of qualified electors:
(a) One thousand (1,000) for any statewide office;
(b) Five hundred (500) for any congressional district office;
(c) Fifty (50) for any legislative district office;
(d) Five (5) for any county office.
(3) Signatures on the petitions required in this section shall be verified in the manner prescribed in section 34-1807, Idaho Code, on a form similar to that used for recall petitions under chapter 17, title 34, Idaho Code, as prescribed by the secretary of state.
(4) If all of the requirements of this section have been met, the proper officer shall cause the name of each independent candidate who has qualified to be placed on the general election ballot, according to instructions of the secretary of state.

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

34-708A. INDEPENDENT CANDIDATES FOR PRESIDENT AND VICE PRESIDENT. (1) Persons who desire to be independent candidates for the offices of president and vice president shall file, prior to August 25 of the election year, declarations of candidacy as independent candidates. Such declarations must state that such persons are offering themselves as independent candidates and must declare that they have no political party affiliation. The declarations shall have attached thereto a petition signed by one thousand (1,000) qualified electors.
(2) The candidates for president and vice president shall be considered as candidates for one (1) office, and only one (1) such petition need be filed for both offices.
(3) Signatures on the petitions required in this section shall be verified in the manner prescribed in section 34-1807, Idaho Code, provided on a form similar to that used for recall petitions under chapter 17, title 34, Idaho Code, as prescribed by the secretary of state; except that the petition circulators are not required to be Idaho residents.