

IN THE SENATE

SENATE BILL NO. 1069

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ABSENTEE BALLOTS; AMENDING SECTION 34-1005, IDAHO CODE, TO RE-  
VISE PROVISIONS REGARDING ISSUES WITH ABSENTEE BALLOTS.

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

SECTION 1. That Section 34-1005, Idaho Code, be, and the same is hereby  
amended to read as follows:

34-1005. RETURN OF ABSENTEE BALLOT. (1) The return envelope shall be  
mailed or delivered to the officer who issued the same; provided, that an ab-  
sentee ballot must be received by the issuing officer by 8:00 p.m. on the day  
of election before such ballot may be counted.

(2) Upon receipt of an absent elector's ballot, the county clerk of the  
county wherein such elector resides shall verify the authenticity of the af-  
fidavit and shall write or stamp upon the envelope containing the same, the  
date and hour such envelope was received in his office and shall record the  
information pursuant to section 34-1011, Idaho Code. ~~He~~ If the county clerk  
identifies any issue preventing an absentee ballot from being counted, the  
clerk must attempt to contact the voter to ensure the issue is not related to  
any form of fraud and to provide the voter the opportunity to remedy the issue  
if feasible. Any issues must be remedied by 8:00 p.m. on the day of the elec-  
tion for such ballot to be counted. The county clerk shall safely keep and  
preserve all absent electors' ballots unopened until the time prescribed for  
delivery to the polls or to the central count ballot processing center.