

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 487

BY GIDDINGS

AN ACT

1 RELATING TO BALLOTS; AMENDING SECTION 34-1201, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING THE SEALING AND STORAGE OF BALLOTS; AND DECLARING AN
3 EMERGENCY.
4

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

6 SECTION 1. That Section 34-1201, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 34-1201. CANVASS OF VOTES. (1) When the polls are closed, the judges
9 must immediately proceed to count the ballots cast at such election. The
10 counting must be continued without adjournment until completed and the re-
11 sult declared.

12 (2) If the precinct has duplicate ballot boxes, the counting may begin
13 after five (5) ballots have been cast. At this time, the additional clerks
14 shall close the first ballot box and retire to the counting area and count the
15 ballots. Upon completion of this counting, the clerks shall return the bal-
16 lot box and then proceed to count all of the ballots cast in the second box
17 during this period. This counting shall continue until the polls are closed,
18 at which time all election personnel shall complete the counting of the bal-
19 lots.

20 (3) The county clerk may designate paper ballots be returned to a cen-
21 tral count location for counting by special counting boards. If the paper
22 ballots are to be counted at a central count location, a procedure may be
23 adopted to deliver the voted ballots to the county clerk prior to the clos-
24 ing of the polls. The results of this early count shall not be released to the
25 public until after 8:00 p.m. of election day.

26 (4) After being counted, all ballots shall be sealed and stored until
27 such time as the recount period has passed or a recount has been completed
28 or until the secretary of state or county clerk orders the ballots to be un-
29 sealed for inspection in the case of a challenge by a candidate or a represen-
30 tative of an organization opposing or supporting a ballot measure, an elec-
31 tion contest pursuant to chapter 20 or 21, title 34, Idaho Code, or a recount
32 conducted pursuant to chapter 23, title 34, Idaho Code.

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