LEGISLATURE OF THE STATE OF IDAHO

Sixty-sixth Legislature Second Regular Session - 2022

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 694

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTION REGISTERS; AMENDING SECTION 34-433, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MONTHLY CORRECTION OF ELECTION Registers FROM REPORTED DEATHS; AMENDING SECTION 39-270, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DISCLOSURE OF INFORMATION; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Section 34-433, Idaho Code, be, and the same is hereby amended to read as follows:

34-433. MONTHLY CORRECTION OF ELECTION REGISTER FROM REPORTED DEATHS. (1) The state board of health and welfare shall, on or about the twenty-fifth day of each month, furnish to the secretary of state a listing showing the name, age, date of birth, county of residence and residence address of each Idaho resident who has died during the preceding month. The secretary of state shall sort this list by county and furnish a copy of same to each county clerk. Each county clerk shall immediately cancel all registrations of individuals reported as deceased by the state board of health and welfare in the board's report to the secretary of state.

(2) A version of the list provided to the secretary of state by the state board of health and welfare pursuant to subsection (1) of this section may be requested from the board as a public record, provided that the publicly requestable list shall include each decedent's name, county of residence, residence address, and age at the time the publicly available list is created, but shall not include any decedent's date of birth or any other information.

SECTION 2. That Section 39-270, Idaho Code, be, and the same is hereby amended to read as follows:

39-270. DISCLOSURE OF INFORMATION. (a) Certificates and records in the custody of the state registrar shall be open to inspection subject to the provisions of this chapter and the rules of the board, the provisions of section 74-102, Idaho Code, to the contrary notwithstanding; and it shall be unlawful for any state or local official or employee under this chapter to disclose any data contained in the records, except as authorized by this chapter and the rules of the board.

(b) A complete copy, or any part of a certificate, may be issued to any applicant who can show direct and tangible interest in the record for which he applies. A complete copy, or any part of a certificate, shall be issued upon request or at the direction of the state registrar to a state, federal or local public agency for child protection and child support enforcement purposes or for the purpose of investigation of fraud. Subject to such provisions as the board may prescribe, data contained on records may be used
by federal, state or municipal agencies for the purpose of verification of
data.

(c) As provided in chapter 1, title 74, Idaho Code, data contained on
records may be used for research, public health or statistical purposes. No
lists of registration shall be compiled for public use, except as provided in
section 34-433(2), Idaho Code.

(d) The manner of keeping local records and the use thereof shall be
prescribed by the board, in keeping with the provisions of this section.

(e) When one hundred (100) years have elapsed after the date of birth,
or fifty (50) years have elapsed after the date of death, stillbirth, mar-
riage or divorce, the records of these events in the custody of the state reg-
istrar shall become public records and information shall be made available
in accordance with chapter 1, title 74, Idaho Code.

SECTION 3. An emergency existing therefor, which emergency is hereby
declared to exist, this act shall be in full force and effect on and after its
passage and approval.