

IN THE SENATE

SENATE BILL NO. 1375

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO VOTER IDENTIFICATION; AMENDING SECTION 34-408A, IDAHO CODE,  
2 TO REVISE PROVISIONS REGARDING ELECTION DAY REGISTRATION; AMENDING  
3 SECTION 34-409, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTRONIC  
4 VOTER REGISTRATION; AMENDING SECTION 34-410, IDAHO CODE, TO REVISE PRO-  
5 VISIONS REGARDING VOTER REGISTRATION BY MAIL; AMENDING SECTION 34-411,  
6 IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTER REGISTRATION; AMEND-  
7 ING SECTION 34-1002, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLI-  
8 CATIONS FOR ABSENTEE BALLOTS; AMENDING SECTION 34-1003, IDAHO CODE, TO  
9 REVISE PROVISIONS REGARDING THE ISSUANCE OF AN ABSENTEE BALLOT; AMEND-  
10 ING SECTION 34-1004, IDAHO CODE, TO PROVIDE FOR ABSENTEE BALLOT RETURN  
11 ENVELOPES, TO REMOVE A PROVISION REGARDING PERFORATED BALLOTS, AND TO  
12 MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1005, IDAHO CODE, TO  
13 REVISE PROVISIONS REGARDING THE RETURN OF AN ABSENTEE BALLOT; AMEND-  
14 ING SECTION 34-1113, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTER  
15 IDENTIFICATION AT THE POLLS; AMENDING SECTION 34-1114, IDAHO CODE, TO  
16 REVISE PROVISIONS REGARDING VOTERS WITHOUT PHOTO IDENTIFICATION; AND  
17 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
18

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

20 SECTION 1. That Section 34-408A, Idaho Code, be, and the same is hereby  
21 amended to read as follows:

22 34-408A. ELECTION DAY REGISTRATION. (1) An individual who is eligible  
23 to vote may register on election day by appearing in person at the polling  
24 place for the precinct in which the individual maintains residence, by com-  
25 pleting a registration application, making an oath in the form prescribed  
26 by the secretary of state, and providing proof of identity, residence, and  
27 United States citizenship. An individual may prove residence and citizen-  
28 ship for purposes of registering by:

29 ~~(1) Showing an Idaho driver's license or Idaho identification card is-~~  
30 ~~sued through the department of transportation; or~~

31 ~~(2) Showing any document which contains a valid address in the precinct~~  
32 ~~together with a picture identification card; or~~

33 ~~(3) Showing a current valid student photo identification card from~~  
34 ~~a postsecondary educational institution in Idaho accompanied with a~~  
35 ~~current student fee statement that contains the student's valid ad-~~  
36 ~~dress in the precinct showing photo identification set forth in section~~  
37 ~~34-411(1)(h), Idaho Code.~~

38 (2) Election day registration provided in this section shall apply to  
39 all elections conducted under title 34, Idaho Code, and to school district  
40 and municipal elections.

41 (3) An individual who is eligible to vote may also register, upon  
42 providing ~~proof of residence~~ photo identification set forth in section

1 34-411(1) (h), Idaho Code, at the "absent electors' polling place" provided  
2 in section 34-1006, Idaho Code.

3 (4) Until July 1, 2023, an individual who cannot provide proof of iden-  
4 tity, residence, or citizenship at election day registration may be given a  
5 ballot that may be voted but shall then be placed in a security envelope list-  
6 ing the voter's contact information and signed affidavit and held in a secure  
7 location for two (2) business days. If the voter's United States citizenship  
8 can be verified during those two (2) business days, the ballot will be in-  
9 cluded in the canvass of votes. If United States citizenship is not verified  
10 during that time, the ballot shall be marked void by the clerk and shall not  
11 be counted in the canvass of votes but shall be retained pursuant to section  
12 34-217, Idaho Code.

13 SECTION 2. That Section 34-409, Idaho Code, be, and the same is hereby  
14 amended to read as follows:

15 34-409. ELECTRONIC REGISTRATION. (1) The office of the secretary of  
16 state may create and maintain an electronic system for voter registration  
17 that is publicly available on its official website. Any qualified elec-  
18 tor who has a current valid driver's license or identification card issued  
19 pursuant to title 49, Idaho Code, that reflects the person's current princi-  
20 pal place of residence, and United States citizenship may register to vote  
21 by submitting a completed voter registration application electronically  
22 through such website. Electronic voter registration applications shall be  
23 submitted before the close of registration as provided in section 34-408,  
24 Idaho Code.

25 (2) The electronic voter registration application shall be in a form  
26 prescribed by the secretary of state and shall:

27 (a) Require the information under oath or affirmation set forth in sec-  
28 tion 34-411, Idaho Code;

29 (b) Include notice of the requirement to provide personal photo iden-  
30 tification and proof of citizenship before voting at the polls as set  
31 forth in sections 34-1113 and 34-1114, Idaho Code; and

32 (c) Require an electronic signature of the applicant.

33 (3) The office of the secretary of state shall obtain a digital copy  
34 of the applicant's driver's license or identification card signature from  
35 the Idaho transportation department. The Idaho transportation department  
36 shall, upon request of the office of the secretary of state, provide a dig-  
37 ital copy of the applicant's driver's license or identification card signa-  
38 ture.

39 (4) Upon receipt of a completed voter registration application and a  
40 digital copy of the applicant's driver's license or identification card sig-  
41 nature from the Idaho transportation department indicating proof of United  
42 States citizenship, the office of the secretary of state shall send the in-  
43 formation to the county clerk for the county in which the applicant resides.  
44 The county clerk shall prepare and issue to each elector registering elec-  
45 tronically a verification of registration containing the name and residence  
46 of the elector and the name or number of the precinct in which the elector  
47 resides. Such verification of registration may be sent by nonforwardable  
48 ~~first-class~~ first class mail or by electronic mail at the elector's option.

1 If a verification is returned undeliverable, then the county clerk shall re-  
2 move the elector from the register of electors.

3 (5) An applicant using the electronic system for voter registration  
4 pursuant to this section shall not be required to complete a printed regis-  
5 tration card.

6 (6) The office of the secretary of state shall use such security mea-  
7 sures necessary to ensure the accuracy and integrity of an electronically  
8 submitted voter registration application.

9 (7) Any person using the electronic system for voter registration pur-  
10 suant to this section must vote in person at a polling place, showing proper  
11 photo identification pursuant to section 34-411(1) (h), Idaho Code, at least  
12 once before being able to vote by absentee ballot through the mail. Upon re-  
13 ceipt of a written application to the county clerk from any elector who, by  
14 reason of illness or physical incapacity, is prevented from voting in person  
15 at a polling place for the first time after registering electronically, the  
16 county clerk or his designee shall personally verify the elector's proper  
17 photo identification at the place of abode of the elector and shall receive  
18 the elector's voted ballot for inclusion in the canvass of votes.

19 SECTION 3. That Section 34-410, Idaho Code, be, and the same is hereby  
20 amended to read as follows:

21 34-410. MAIL REGISTRATION. (1) Any elector may register by mail for  
22 any election. Any mail registration application must be received by the  
23 county clerk prior to the close of registration as provided in section  
24 34-408, Idaho Code, provided that any mail registration application post-  
25 marked not later than twenty-five (25) days prior to an election shall be  
26 deemed timely. A mail registration application must be accompanied by a  
27 photocopy of the applicant's photo identification set forth in section  
28 34-411(1) (h), Idaho Code.

29 (2) The secretary of state shall prescribe the form for the mail regis-  
30 tration application. This mail application form shall be available for dis-  
31 tribution through governmental and private entities, with particular empha-  
32 sis on making them available for organized voter registration programs.

33 (3) Any federal mail registration form adopted pursuant to the provi-  
34 sions of the national voter registration act of 1993 (P.L. 103-31) shall also  
35 be accepted as a valid registration, if such form is postmarked not later  
36 than twenty-five (25) days prior to an election. However, if proper photo  
37 identification meeting the requirements of section 34-411(1) (h), Idaho  
38 Code, does not accompany the federal mail registration form, the elector  
39 shall be permitted to vote only for federal offices.

40 (4) The county clerk shall prepare and issue by first class nonforward-  
41 able mail to each elector registering by mail a verification of registration  
42 containing the name and residence of the elector and the name or number of the  
43 precinct in which the elector resides.

44 (5) A verification returned undeliverable shall cause the county clerk  
45 to remove the elector's card from the register of electors.

46 (6) As required by the help America vote act of 2002 (P.L. 107-252), a  
47 copy of proper identification will be required prior to issuance of a ballot  
48 to anyone who has registered by mail and has not previously voted in an elec-  
49 tion for federal office in the state. Proper identification consists of:

1 ~~(1) A current and valid photo identification; or~~

2 ~~(2) A copy of a current utility bill, bank statement, government check,~~  
 3 ~~paycheck, or other government document that shows the name and address~~  
 4 ~~of the voter photo identification set forth in section 34-411(1)(h),~~  
 5 ~~Idaho Code.~~

6 (7) Any person registering to vote by mail pursuant to this section must  
 7 vote in person at a polling place, showing proper photo identification pur-  
 8 suant to section 34-411(1)(h), Idaho Code, at least once before being able to  
 9 vote by absentee ballot through the mail. Upon receipt of a written applica-  
 10 tion to the county clerk from any elector who, by reason of illness or physi-  
 11 cal incapacity, is prevented from voting in person at a polling place for the  
 12 first time after registering by mail, the county clerk or his designee shall  
 13 personally verify the elector's proper photo identification at the place of  
 14 abode of the elector and shall receive the elector's voted ballot for inclu-  
 15 sion in the canvass of votes.

16 SECTION 4. That Section 34-411, Idaho Code, be, and the same is hereby  
 17 amended to read as follows:

18 34-411. APPLICATION FOR REGISTRATION -- CONTENTS. (1) Each elector  
 19 who requests registration shall supply the following information under oath  
 20 or affirmation:

21 (a) Full name ~~and sex~~;

22 (b) Mailing address, residence address, or any other necessary infor-  
 23 mation definitely locating the elector's residence;

24 (c) The period of time preceding the date of registration during which  
 25 the elector has resided in the state;

26 (d) Whether or not the elector is a citizen;

27 (e) That the elector is under no legal disqualifications to vote;

28 (f) The county and state where the elector was previously registered,  
 29 if any;

30 (g) Date of birth; and

31 (h) One (1) of the photo identification cards set forth in this para-  
 32 graph, which must show the elector's residence and United States citi-  
 33 zenship. Such card must be current; provided, however, if the residen-  
 34 tial address shown on the photo identification is not current or if the  
 35 card expired no longer than twenty-four (24) months prior to the elec-  
 36 tor's presentation of the card, the card may be accepted if it is accom-  
 37 panied by a copy of the elector's current mortgage statement, utility  
 38 bill, bank statement, paycheck, or government check showing the name  
 39 and current address of the individual. Acceptable photo identification  
 40 cards are:

41 (i) A current driver's license number or identification card is-  
 42 ssued by the Idaho transportation department. In the absence of an  
 43 Idaho driver's license or state issued identification card, the  
 44 last four (4) digits of the elector's social security number;

45 (ii) A United States passport;

46 (iii) A concealed weapons permit or enhanced concealed carry per-  
 47 mit with photo identification issued by a county sheriff in Idaho;

48 or

1           (iv) Any other photo identification card issued by the United  
 2           States government, Idaho state government, or tribal government  
 3           in the United States.

4           (i) An elector may apply to the Idaho transportation department for  
 5           financial assistance in obtaining a state photo identification card if  
 6           paying the associated fee is an undue hardship on the elector. The elec-  
 7           tor may be granted such a hardship fee waiver only once.

8           (2) As provided for in section 34-404, Idaho Code, each elector shall  
 9 select an affiliation with a political party qualified to participate in  
 10 elections pursuant to section 34-501, Idaho Code, or select to be desig-  
 11 nated as "unaffiliated." The selection of party affiliation or designation  
 12 as "unaffiliated" shall be maintained within the voter registration sys-  
 13 tem as provided for in section 34-437A, Idaho Code. If an elector shall  
 14 fail or refuse to make such a selection, the county clerk shall record as  
 15 "unaffiliated" such elector within the voter registration system as pro-  
 16 vided for in section 34-437A, Idaho Code.

17           (3) Any elector who ~~shall supply~~ supplies any information under subsec-  
 18 tion (1) of this section, knowing it to be false, is guilty of perjury.

19           (4) Each elector who requests registration may, at the elector's op-  
 20 tion, supply the elector's telephone number. If the telephone number is sup-  
 21 plied by the elector, the telephone number shall be available to the public.

22           SECTION 5. That Section 34-1002, Idaho Code, be, and the same is hereby  
 23 amended to read as follows:

24           34-1002. APPLICATION FOR ABSENTEE BALLOT. (1) Any registered elector  
 25 may make written application to the county clerk, or other proper officer  
 26 charged by law with the duty of issuing official ballots for such election,  
 27 for an official ballot or ballots of the kind or kinds to be voted at the elec-  
 28 tion. The application shall contain the name of the elector, the elector's  
 29 home address, county, and address to which such ballot shall be forwarded.

30           (2) In order to provide the appropriate primary election ballot to  
 31 electors, in the event a political party elects to allow unaffiliated elec-  
 32 tors to vote in that party's primary election pursuant to section 34-904A,  
 33 Idaho Code, the elector shall designate, as part of the written application  
 34 for a ballot for primary elections, the elector's party affiliation or des-  
 35 ignation as "unaffiliated." The application shall contain checkoff boxes  
 36 for unaffiliated electors by which such electors shall indicate for which  
 37 party's primary ballot the unaffiliated elector chooses to vote. Provided  
 38 however, that no political party's primary election ballot shall be provided  
 39 to an unaffiliated elector for a political party that has not elected to al-  
 40 low unaffiliated electors to vote in that political party's primary election  
 41 pursuant to section 34-904A, Idaho Code. If an unaffiliated elector does not  
 42 indicate a choice of political party's primary election ballot, the elector  
 43 shall receive a nonpartisan ballot.

44           (3) In order to provide the appropriate primary election ballot to  
 45 electors, in the event one (1) or more political parties elect to allow elec-  
 46 tors affiliated with a different political party to vote in that party's  
 47 primary election, the application shall contain checkoff boxes by which such  
 48 electors may indicate the primary ballot in which the elector wishes to vote.

1       ~~(4) For electors who are registered to vote as of January 1, 2012, and~~  
2 ~~who remain registered electors, the elector shall designate, as part of~~  
3 ~~the written application for a ballot for the 2012 primary elections, the~~  
4 ~~elector's party affiliation or designation as "unaffiliated." The applica-~~  
5 ~~tion shall contain checkoff boxes for unaffiliated electors by which such~~  
6 ~~electors shall indicate for which party's primary election ballot the unaf-~~  
7 ~~filiated elector chooses to vote, pursuant to section 34-904A, Idaho Code.~~  
8 ~~Provided however, that no political party's primary election ballot shall~~  
9 ~~be provided to an unaffiliated elector for a political party that has not~~  
10 ~~elected to allow unaffiliated electors to vote in the party's primary elec-~~  
11 ~~tion pursuant to section 34-904A, Idaho Code. If an unaffiliated elector~~  
12 ~~does not indicate a choice of political party's primary election ballot, the~~  
13 ~~elector shall receive a nonpartisan ballot. After the 2012 primary elec-~~  
14 ~~tion, the county clerk shall record the party affiliation or unaffiliated~~  
15 ~~designation so selected on the application for an absentee ballot as part of~~  
16 ~~such an elector's record within the voter registration system as provided~~  
17 ~~for in section 34-437A, Idaho Code.~~

18       ~~(5) After the 2012 primary election, electors who remain registered~~  
19 ~~voters and who did not vote in the 2012 primary elections and who make written~~  
20 ~~application for an absentee ballot shall be designated as unaffiliated elec-~~  
21 ~~tors as provided in section 34-404, Idaho Code, and such electors shall be~~  
22 ~~given the appropriate ballot for such "unaffiliated" designation pursuant~~  
23 ~~to the provisions of this act.~~

24       (64) An elector may not change party affiliation or designation  
25 as "unaffiliated" on an application for absentee ballot. For primary  
26 elections, an elector may change party affiliation or designation as  
27 "unaffiliated" as provided for in section 34-411A, Idaho Code.

28       (75) The application for an absent elector's ballot shall be signed  
29 personally by the applicant and shall provide the applicant's date of birth  
30 and the last four (4) digits of the applicant's driver's license number or  
31 other identification document used by the applicant when registering to  
32 vote. The application for a mail-in absentee ballot shall be received by the  
33 county clerk not later than 5:00 p.m. on the eleventh day before the elec-  
34 tion. An application for in-person absentee voting at the absent elector's  
35 polling place described in section 34-1006, Idaho Code, shall be received by  
36 the county clerk not later than 5:00 p.m. on the Friday before the election.  
37 Application for an absentee ballot may be made by using a facsimile machine  
38 or other electronic transmission. On and after July 1, 2023, no single ap-  
39 plication for an absent elector's ballot shall apply to more than one (1)  
40 election date. A separate application is required for each election in which  
41 the elector wishes to vote by absent elector's ballot.

42       (86) A person may make application for an absent elector's ballot by use  
43 of a properly executed federal postcard application as provided for in the  
44 laws of the United States known as uniformed and overseas citizens absentee  
45 voting act (UOCAVA, 52 U.S.C. 20301 et seq., as amended). The issuing offi-  
46 cer shall keep as a part of the records of such officer's office a list of all  
47 applications so received and of the manner and time of delivery or mailing  
48 to and receipt of returned ballot. An applicant who does not accompany the  
49 federal postcard application with a copy of proper photo identification set

1 forth in section 34-411(1)(h), Idaho Code, shall be permitted to vote only  
 2 for federal offices.

3 (97) The county clerk shall, not later than seventy-five (75) days af-  
 4 ter the date of each general election, submit a report to the secretary of  
 5 state containing information concerning absentee voters as required by fed-  
 6 eral law.

7 SECTION 6. That Section 34-1003, Idaho Code, be, and the same is hereby  
 8 amended to read as follows:

9 34-1003. ISSUANCE OF ABSENTEE BALLOT. (1) Upon receipt of an applica-  
 10 tion for an absent elector's ballot that includes the applicant's date of  
 11 birth and the last four (4) digits of the applicant's driver's license number  
 12 or other identification document used by the applicant when registering to  
 13 vote, within the proper time, the county clerk receiving it shall examine the  
 14 records of the county clerk's office to ascertain whether or not such appli-  
 15 cant is registered and lawfully entitled to vote as requested and, if found  
 16 to be so, the county clerk shall arrange for the applicant to vote by absent  
 17 elector's ballot.

18 (2) In the case of requests for primary ballots:

19 (a) Except as provided in paragraph (b) of this subsection, an elector  
 20 who has designated a political party affiliation shall receive a pri-  
 21 mary ballot for that political party.

22 (b) An elector who has designated a political party affiliation pur-  
 23 suant to section 34-404, Idaho Code, may receive the primary election  
 24 ballot of a political party other than the political party such elector  
 25 is affiliated with if such other political party has provided notifica-  
 26 tion to the secretary of state that identifies the political party such  
 27 elector is affiliated with, as provided for in section 34-904A(2)(b),  
 28 Idaho Code.

29 (c) An unaffiliated elector shall receive the primary ballot for the  
 30 political party the elector designated in the elector's application for  
 31 an absentee ballot pursuant to section 34-1002, Idaho Code. Provided  
 32 however, that a political party's ballot shall not be provided to an un-  
 33 affiliated elector where that political party has not elected to allow  
 34 unaffiliated electors to vote in such party's primary election pursuant  
 35 to section 34-904A, Idaho Code.

36 (d) If an unaffiliated elector does not indicate a choice of a political  
 37 party's primary ballot, the elector shall receive a nonpartisan ballot.

38 (e) Once an absentee primary ballot is issued to an elector by the  
 39 county clerk, the county clerk may not issue the same elector a new  
 40 absentee primary ballot with a different party affiliation than the  
 41 absentee ballot originally issued to the elector, unless the original  
 42 absentee ballot type was issued in error by the county clerk.

43 (3) The absentee ballot may be delivered to the absent elector in the  
 44 office of the county clerk, or by postage prepaid mail or by other appropri-  
 45 ate means, including use of a facsimile machine or other electronic trans-  
 46 mission. Validly requested absentee ballots for candidates for federal of-  
 47 fice, where the request is received at least forty-five (45) days before an  
 48 election, shall be sent no later than forty-five (45) days before that elec-  
 49 tion to all electors who are entitled to vote by absentee ballot.

1 (4) Pursuant to the uniformed and overseas citizens absentee voting act  
 2 (UOCAVA, 52 U.S.C. 20301 et seq., as amended) the secretary of state shall  
 3 establish procedures for the transmission of blank absentee ballots by mail  
 4 and by electronic transmission for all electors who are entitled to vote by  
 5 absentee ballot under ~~the uniformed and overseas citizens absentee voting~~  
 6 ~~act~~ UOCAVA, and by which such electors may designate whether the elector  
 7 prefers the transmission of such ballots by mail or electronically. If no  
 8 preference is stated, the ballots shall be transmitted by mail. The secre-  
 9 tary of state shall establish procedures for transmitting such ballots in a  
 10 manner that shall protect the security and integrity of such ballots and the  
 11 privacy of the elector throughout the process of transmission.

12 (5) A political party may supply a witness to accompany the clerk in the  
 13 personal delivery of an absentee ballot. If the political party desires to  
 14 supply a witness, it shall be the duty of the political party to supply the  
 15 names of such witnesses to the clerk no later than forty-six (46) days prior  
 16 to the election. The clerk shall notify such witnesses of the date and ap-  
 17 proximate hour the clerk or deputy clerk intends to deliver the ballot.

18 (6) A candidate for public office or a spouse of a candidate for public  
 19 office shall not be a witness in the personal delivery of absentee ballots.

20 (7) An elector physically unable to mark such elector's own ballot  
 21 may receive assistance in marking such ballot from the officer delivering  
 22 same or an available person of the elector's own choosing. In the event  
 23 the election officer is requested to render assistance in marking an absent  
 24 elector's ballot, the officer shall ascertain the desires of the elector and  
 25 shall vote the applicant's ballot accordingly. When such ballot is marked by  
 26 an election officer, the witnesses on hand shall be allowed to observe such  
 27 marking. No county clerk, deputy, or other person assisting a disabled voter  
 28 shall attempt to influence the vote of such elector in any manner.

29 SECTION 7. That Section 34-1004, Idaho Code, be, and the same is hereby  
 30 amended to read as follows:

31 34-1004. MARKING AND FOLDING OF ABSENTEE BALLOT -- AFFIDAVIT -- RETURN  
 32 ENVELOPE. (1) Upon receipt of the absent elector's ballot, the elector shall  
 33 thereupon mark and fold the ballot so as to conceal the marking, deposit it  
 34 in the ballot envelope, and seal the envelope securely. ~~In the event an elec-~~  
 35 ~~tion requires a perforated ballot, the unvoted portion must be deposited in~~  
 36 ~~the unvoted ballot envelope and sealed.~~ The ballot envelopes must then be  
 37 deposited in the return envelope and sealed securely.

38 (2) The elector shall then execute an affidavit on the back of the re-  
 39 turn envelope in the form prescribed, provided however, that such affidavit  
 40 need not be notarized.

41 (3) The secretary of state shall design the absentee ballot return en-  
 42 velopes to contain the name and signature of the voter, the last four (4)  
 43 digits of the voter's acceptable photo identification card number listed in  
 44 section 34-411(1) (h), Idaho Code, and a place for the name, signature, rela-  
 45 tionship to the voter, and last four (4) digits of an acceptable photo iden-  
 46 tification card listed in section 34-411(1) (h), Idaho Code, of anyone re-  
 47 turning the absentee ballot on behalf of the voter. The envelope shall also  
 48 be designed to provide privacy for the information required by this subsec-  
 49 tion until the ballot is received at the elections office.



1 SECTION 8. That Section 34-1005, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 34-1005. RETURN OF ABSENTEE BALLOT. (1) The return envelope ~~shall~~ must  
4 be mailed or delivered by hand personally to the officer who issued the same  
5 or his designee; provided, that an absentee ballot must be received by the  
6 issuing officer or his designee by 8:00 p.m. on the day of election before  
7 such ballot may be counted.

8 (2) Upon receipt of an absent elector's ballot, the county clerk of the  
9 county wherein such elector resides shall verify the authenticity of the af-  
10 fidavit, including verifying that the signature matches the signature from  
11 such elector's voter registration, and shall write or stamp upon the enve-  
12 lope containing the same, the date and hour such envelope was received in his  
13 office and shall record the information pursuant to section 34-1011, Idaho  
14 Code. He shall safely keep and preserve all absent electors' ballots un-  
15 opened until the time prescribed for delivery to the polls or to the central  
16 count ballot processing center.

17 SECTION 9. That Section 34-1113, Idaho Code, be, and the same is hereby  
18 amended to read as follows:

19 34-1113. IDENTIFICATION AT THE POLLS. All voters shall be required to  
20 provide ~~personal photo~~ photo identification meeting the requirements of section  
21 34-411(1)(h), Idaho Code, before voting at the polls or at absent electors  
22 polling places as required by section 34-1006, Idaho Code. ~~The personal~~  
23 ~~identification that may be presented shall be one (1) of the following:~~

24 ~~(1) An Idaho driver's license or identification card issued by the~~  
25 ~~Idaho transportation department;~~

26 ~~(2) A passport or an identification card, including a photograph, is-~~  
27 ~~sued by an agency of the United States government;~~

28 ~~(3) A tribal identification card, including a photograph;~~

29 ~~(4) A current student identification card, including a photograph, is-~~  
30 ~~sued by a high school or an accredited institution of higher education, in-~~  
31 ~~cluding a university, college or technical school, located within the state~~  
32 ~~of Idaho; or~~

33 ~~(5) A license to carry concealed weapons issued under section 18-3302,~~  
34 ~~Idaho Code, or an enhanced license to carry concealed weapons issued under~~  
35 ~~section 18-3302K, Idaho Code.~~

36 SECTION 10. That Section 34-1114, Idaho Code, be, and the same is hereby  
37 amended to read as follows:

38 34-1114. AFFIDAVIT ~~IN LIEU OF~~ -- PERSONAL IDENTIFICATION. (1) If a  
39 voter is not able to present ~~personal photo~~ photo identification as required in  
40 section ~~34-1113~~ 34-411(1)(h), Idaho Code, the voter may complete an affidavit  
41 in lieu of the personal identification. ~~The affidavit shall be on a form~~  
42 ~~prescribed by the secretary of state and shall require the voter to provide~~  
43 ~~the voter's~~ on a secure envelope prescribed by the secretary of state. The  
44 voter shall place his voted ballot into the envelope and, on the outside of  
45 the envelope, shall provide his name and address. The voter shall sign the

1 affidavit. The affidavit shall be kept in a secure location by the election  
2 clerk.

3 (2) A voter completing such an affidavit shall have two (2) business  
4 days to return to the polling place or clerk's office and present proper  
5 photo identification meeting the requirements of section 34-411(1)(h),  
6 Idaho Code, to an election clerk, at which time the clerk shall include the  
7 voter's ballot in the canvass of votes. If the voter does not return and  
8 present proper verification within two (2) business days, the clerk shall  
9 void the ballot and the ballot shall not be counted in the canvass of votes.

10 (3) Any person who knowingly provides false, erroneous, or inaccurate  
11 information on such affidavit shall be guilty of a felony.

12 (4) The provisions of this section shall be null, void, and of no force  
13 and effect on and after July 1, 2023.

14 SECTION 11. An emergency existing therefor, which emergency is hereby  
15 declared to exist, this act shall be in full force and effect on and after  
16 July 1, 2022.