

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 561

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; AMENDING SECTION 34-1207, IDAHO CODE, TO PROVIDE  
2 FOR A CANVASS REPORT FOLLOWING CERTAIN ELECTIONS; AMENDING SECTION  
3 34-1211, IDAHO CODE, TO REVISE PROVISIONS REGARDING MEETINGS FOR THE  
4 STATE BOARD OF CANVASSERS; AMENDING SECTION 34-1212, IDAHO CODE, TO  
5 REVISE PROVISIONS REGARDING EXAMINATION AND CERTIFICATION OF COUNTY  
6 CANVASSES; AMENDING SECTION 34-1213, IDAHO CODE, TO REVISE PROVISIONS  
7 REGARDING THE CERTIFICATION OF CANVASS; AND DECLARING AN EMERGENCY AND  
8 PROVIDING AN EFFECTIVE DATE.  
9

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

11 SECTION 1. That Section 34-1207, Idaho Code, be, and the same is hereby  
12 amended to read as follows:

13 34-1207. ~~ABSTRACTS OF RETURNS~~ CANVASS REPORT. (1) After the canvass  
14 of the votes for each office, the board shall cause the county clerk to ~~make~~  
15 ~~abstracts of the returns for each candidate~~ complete a canvass report, which  
16 shall then be signed by each member of the board. ~~The abstracts canvass re-~~  
17 ~~port shall be in a form and contain information as prescribed by the secre-~~  
18 ~~tary of state and be uniform throughout the state. The canvass report shall~~  
19 ~~also include the total number of votes cast for each candidate for office by~~  
20 ~~county and legislative district, the total number of affirmative and neg-~~  
21 ~~ative votes cast for any special question, and any overvotes or undervotes~~  
22 ~~cast by county.~~

23 (2) The county clerk, ~~by registered mail~~, shall forward to the secre-  
24 tary of state the ~~abstracts completed and signed canvass report~~ for all can-  
25 didates for federal, state or district offices.

26 SECTION 2. That Section 34-1211, Idaho Code, be, and the same is hereby  
27 amended to read as follows:

28 34-1211. STATE BOARD OF CANVASSERS -- MEETINGS. The secretary of  
29 state, state controller and state treasurer shall constitute the state board  
30 of canvassers. The functions of the board shall be election functions, and  
31 the secretary of state shall be chairman of the board. The state board of  
32 canvassers shall meet within ~~fifteen (15)~~ twenty-one (21) days after the  
33 primary election and within ~~fifteen (15)~~ twenty-one (21) days after the  
34 general election in the office of the secretary of state for the purpose of  
35 ~~canvassing the abstracts of votes cast for all candidates for federal, state~~  
36 ~~and district offices~~ complying with the provisions of sections 34-1212 and  
37 34-1213, Idaho Code.

38 SECTION 3. That Section 34-1212, Idaho Code, be, and the same is hereby  
39 amended to read as follows:

1           34-1212. EXAMINATION AND CERTIFICATION OF COUNTY CANVASSES BY STATE  
2 BOARD. The board shall examine the ~~abstracts of votes from the county can-~~  
3 ~~vasses~~ canvass reports and make a statement of the total number of votes cast  
4 for all federal, state and district candidates or special questions that  
5 shall have been voted upon at the election. The statement shall set forth  
6 the special questions and the names of the candidates for whom the votes  
7 have been cast. It shall also include the total number of votes cast for  
8 each candidate for office by county and legislative district, ~~and~~ the total  
9 number of affirmative and negative votes cast for any special question, and  
10 any overvotes or undervotes cast by county. The board shall certify that  
11 such statement is true, subscribe their names thereto, and deliver it to the  
12 secretary of state.

13           SECTION 4. That Section 34-1213, Idaho Code, be, and the same is hereby  
14 amended to read as follows:

15           34-1213. CERTIFICATION OF CANVASS ~~OF ABSTRACTS~~ BY BOARD. After the  
16 ~~canvass of the abstracts~~ examination of the canvass reports, the board shall  
17 make a statement of the total number of votes cast at any such election for  
18 all the candidates for federal, state or district offices, which statement  
19 shall show the names of the persons to whom such votes shall have been cast  
20 for the particular offices and the total number cast to each, distinguish-  
21 ing the several districts, counties and precincts in which they were given.  
22 They shall certify such statement to be correct, and subscribe their names  
23 thereto.

24           SECTION 5. An emergency existing therefor, which emergency is hereby  
25 declared to exist, this act shall be in full force and effect on and after  
26 July 1, 2024.