

IN THE SENATE

SENATE BILL NO. 1273

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTION VOTER GUIDES; AMENDING TITLE 34, IDAHO CODE, BY THE AD-
2 DITION OF A NEW CHAPTER 8, TITLE 34, IDAHO CODE, TO ESTABLISH PROVISIONS
3 REGARDING CERTAIN DUTIES OF THE SECRETARY OF STATE, TO ESTABLISH CON-
4 TENT AND FORM REQUIREMENTS FOR VOTERS' GUIDES, AND TO PROVIDE REQUIRE-
5 MENTS REGARDING THE DISTRIBUTION OF VOTERS' GUIDES; AMENDING SECTION
6 34-1812C, IDAHO CODE, TO SPECIFY CERTAIN COMPLIANCE REQUIREMENTS RE-
7 GARDING THE PREPARATION OF VOTER PAMPHLETS BY THE SECRETARY OF STATE AND
8 TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.
9

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

11 SECTION 1. That Title 34, Idaho Code, be, and the same is hereby amended
12 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
13 ter 8, Title 34, Idaho Code, and to read as follows:

14 CHAPTER 8
15 VOTERS' GUIDE

16 34-801. DUTY OF SECRETARY OF STATE -- PURPOSE. The secretary of state
17 shall prepare and distribute a voters' guide before each primary and general
18 election in accordance with the provisions of this chapter. The purpose of
19 the voters' guide is to provide electors with uniform information about is-
20 sues, measures, and candidates to be voted on in primary and general elec-
21 tions.

22 34-802. VOTERS' GUIDE -- CONTENT -- FORM. (1) The secretary of state
23 shall prescribe the form and arrangement of content for the voters' guide.
24 The voters' guide shall contain the following information:

25 (a) In each general election in which an initiative or referendum mea-
26 sure is to be submitted to the electors:

27 (i) The title and text of each measure with the number and form in
28 which its ballot title will be printed on the official ballot;

29 (ii) The fiscal impact statement summary for a state measure;

30 (iii) The sponsor's proposed funding source information for a
31 state measure; and

32 (iv) The arguments and rebuttals for and against each state mea-
33 sure submitted pursuant to sections 34-1812A and 34-1812B, Idaho
34 Code.

35 (b) In each election in which a proposal to amend the constitution of
36 the state of Idaho is to be submitted to the electors, presentation of
37 major arguments submitted by the legislative council and the text of the
38 proposed amendment;

39 (c) The names of candidates for federal, state, and county offices that
40 will appear on the ballot;

1 (d) If timely submitted by a candidate for federal, state, or county of-
2 fice:

3 (i) A statement not exceeding two hundred (200) words;

4 (ii) The candidate's campaign contact information; and

5 (iii) The candidate's photograph, which shall not be more than
6 four (4) years old and shall be in a format the secretary of state
7 determines suitable for reproduction in the guide; and

8 (e) Any additional information relating to elections as is required by
9 law or that the secretary of state deems informative to the electors.

10 (2) Statements, information, and photographs submitted by candidates
11 pursuant to the provisions of this section must be received in the office of
12 the secretary of state:

13 (a) Within seven (7) days after the filing deadline set forth in section
14 34-704, Idaho Code, for primary elections; and

15 (b) No later than August 1 for general elections.

16 (3) The voters' guide shall be printed:

17 (a) On pages no smaller than 6 x 9 inches in size;

18 (b) In clear, readable type that is no less than 10-point, except that
19 the text of any measure may be set forth in no less than 7-point type; and

20 (c) On a quality and weight of paper that, in the judgment of the secre-
21 tary of state, best serves the electors.

22 34-803. DISTRIBUTION OF VOTERS' GUIDE. (1) The secretary of state
23 shall distribute the voters' guide prepared pursuant to the provisions of
24 this chapter to every household in the state no later than thirty (30) days
25 before the election.

26 (2) Sufficient copies of the voters' guide shall be sent to each county
27 clerk. The secretary of state and county clerks shall make copies available
28 upon request.

29 (3) The secretary of state may make the voters' guide available on its
30 official website.

31 SECTION 2. That Section 34-1812C, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 34-1812C. VOTERS' PAMPHLET. (1) ~~Not No~~ later than ~~September 25~~ thirty
34 (30) days before any regular general election at which an initiative or
35 referendum measure is to be submitted to the people, the secretary of state
36 shall cause to be printed a voters' pamphlet ~~which~~ that shall contain the
37 following:

38 (a) A complete copy of the title and text of each measure with the number
39 and form in which the ballot title thereof will be printed on the offi-
40 cial ballot;

41 (b) A copy of the fiscal impact statement summary for a state measure;

42 (c) A copy of the sponsor's proposed funding source information for a
43 state measure; and

44 (d) A copy of the arguments and rebuttals for and against each state
45 measure.

46 (2) The secretary of state shall mail or distribute a copy of the vot-
47 ers' pamphlet to every household in the state. Sufficient copies of the vot-
48 ers' pamphlet shall also be sent to each county clerk. The county clerks and

1 the secretary of state shall make copies of the voters' pamphlet available
2 upon request.

3 (3) The voters' pamphlet shall be printed according to the following
4 specifications:

5 (a) The pages of the pamphlet shall be not smaller than 6 x 9 inches in
6 size;

7 (b) It shall be printed in clear, readable type, no less than 10-point,
8 except that the text of any measure may be set forth in no less than
9 7-point type;

10 (c) It shall be printed on a quality and weight of paper that, in the
11 judgment of the secretary of state, best serves the voters; and

12 (d) If the material described in subsection (1) of this section is com-
13 bined in a single publication with constitutional amendments, the en-
14 tire publication shall be treated as a legal notice.

15 (4) If a voters' guide has been prepared and distributed pursuant to
16 chapter 8, title 34, Idaho Code, then the secretary of state shall be deemed
17 to have complied with the provisions of this section.

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