

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 94

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ELECTIONS; AMENDING CHAPTER 4, TITLE 34, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 34-402A, IDAHO CODE, TO PROVIDE FOR CITIZENSHIP  
3 REQUIREMENTS FOR VOTERS; AND DECLARING AN EMERGENCY AND PROVIDING AN  
4 EFFECTIVE DATE.  
5

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

7 SECTION 1. That Chapter 4, Title 34, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 34-402A, Idaho Code, and to read as follows:

10 34-402A. ONLY CITIZENS SHALL VOTE. (1) It is unlawful for any individ-  
11 ual who is not a citizen of the United States to vote in any and all public  
12 elections on any and all matters. This includes but is not limited to any  
13 primary election, general election, election for federal office, election  
14 for state office, election for local office, and any public election that in-  
15 cludes voting on constitutional amendments, ballot initiatives, or refer-  
16 enda.

17 (2) Only a citizen of the United States shall be registered to vote in  
18 Idaho. The secretary of state shall verify the citizenship status of all  
19 persons on the statewide voter registration list by comparing the current  
20 voter registrations with the citizenship data available from the Idaho  
21 transportation department and the help America vote verification informa-  
22 tion system maintained by the social security administration. The secretary  
23 of state shall also make use of other available databases containing cit-  
24 izenship status in order to ensure that only United States citizens are  
25 registered to vote in Idaho.

26 (3) Any registrant in the statewide voter registration list whose sta-  
27 tus as a United States citizen cannot be confirmed from a comparison with one  
28 (1) or more state, multistate, or federal databases shall be removed from the  
29 list of eligible voters. The individual shall be notified in writing of the  
30 inability of the secretary of state to confirm the individual's citizenship  
31 status and shall be provided the opportunity to present evidence or documen-  
32 tary proof of citizenship to be restored to the eligible voter list.

33 (4) On and after July 1, 2025, before any voter registration applica-  
34 tion is accepted and added to a county or statewide voter registration list,  
35 the applicant's citizenship status must be confirmed through one (1) or more  
36 of the databases described in subsection (2) of this section.

37 (5) Any willful violation of the provisions of subsection (1) of this  
38 section shall constitute the crime of attempting to vote when not qualified  
39 and be punishable pursuant to the provisions of section 18-2307, Idaho Code.

1           SECTION 2. An emergency existing therefor, which emergency is hereby  
2 declared to exist, this act shall be in full force and effect on and after  
3 July 1, 2025.