

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 359, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; PROVIDING LEGISLATIVE FINDINGS AND INTENT; AMENDING SECTION 67-6614A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE DISCLOSURE OF PARTY AFFILIATION AND TO PROVIDE CERTAIN EXCEPTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The Legislature finds that the State of Idaho has a substantial interest in preserving the integrity of the electoral process by combating voter confusion. Preventing voter confusion is crucial in facilitating secure elections because it directly impacts voter confidence, voter participation, and the overall integrity of the electoral process.

The Legislature further finds that the disclosure of party affiliation in campaign materials furthers the public policy interest of providing additional information to the voting public. Such party affiliation information is already required to be indicated on the declaration of candidacy forms for candidates running in partisan elections. The disclosure of party affiliation in campaign materials is a continuation of disclosure and transparency requirements already implemented in other areas of the electoral process and serves the public interest.

The Legislature further finds that clear and accurate communication concerning persons or entities publishing or distributing political statements in partisan campaigns reduces the burden on election officials by decreasing the number of voter inquiries and the need for corrective measures. This efficiency allows officials to focus on maintaining security protocols and managing the election process effectively.

It is therefore the intent of the Legislature, in order to facilitate the interests described in this section, that any candidate who makes an election communication in a partisan campaign discloses the political affiliation of such candidate, and if an independent expenditure is made in support or opposition of a candidate in a partisan race, the political party for that candidate is disclosed in the election communication.

SECTION 2. That Section 67-6614A, Idaho Code, be, and the same is hereby amended to read as follows:

67-6614A. PUBLICATION OR DISTRIBUTION OF POLITICAL STATEMENTS -- DISCLOSURE OF PARTY AFFILIATION -- EXCEPTIONS. (1) Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election, approval or defeat of a candidate, measure or person standing for election to the position of precinct committeeman through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising, the per-

1 son responsible for such communication shall be clearly indicated on such
2 communication.

3 (2) Every candidate in any partisan election shall disclose the polit-
4 ical party affiliation of such candidate, if any, in all election communica-
5 tions made by such candidate, except any election communication included on
6 stickers or any item designed to be worn by a person. The candidate's party
7 affiliation disclosure shall be prominently displayed within each election
8 communication. For the purposes of this section, "party affiliation" means
9 the written name of the political party such candidate is registered with or
10 a visual depiction of a commonly recognizable symbol that represents such
11 political party.

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