

Dear Senators Guthrie, Bernt, Ruchti, and
Representatives Crane, Scott, Church:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of
the Secretary of State:

IDAPA 34.04.02 - Rules Governing Business Entity Names-Proposed Rule (Docket No.
34-0402-2601).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 10/19/2026. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/16/2026.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondeff
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee
FROM: Legislative Drafting Attorney - Monica Harrington
DATE: October 02, 2026
SUBJECT: Secretary of State

IDAPA 34.04.02 - Rules Governing Business Entity Names-Proposed Rule (Docket No. 34-0402-2601)

Summary and Stated Reasons for the Rule

The Secretary of State submits notice of proposed rulemaking at IDAPA 34.04.02 - Rules Governing Business Entity Names (Docket No. 34-0402-2601). The Secretary states that the proposed rule updates outdated language and Idaho Code references as well as eliminates outdated sections that are no longer used by the agency.

Negotiated Rulemaking / Fiscal Impact

The Secretary states that negotiated rulemaking was conducted and that notice was published in the June 3, 2026, Idaho Administrative Bulletin, Volume 26-6, page 28. There is no fiscal impact anticipated with this rulemaking.

Statutory Authority

The proposed rulemaking appears to be within the statutory authority granted to the Secretary of State pursuant to Chapter 9, Title 67, Idaho Code.

cc: Secretary of State
Rob McQuade

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Legislative Services Office	Matt Drake, Manager Research & Legislation	Keith Bybee, Manager Budget & Policy Analysis	April Renfro, Manager Legislative Audits	Norma Clark, Manager Information Technology
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Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

IDAPA 34 – IDAHO SECRETARY OF STATE
34.04.02 – RULES GOVERNING BUSINESS ENTITY NAMES
DOCKET NO. 34-0402-2601
NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section [67-5221\(1\)](#), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to [Title 67, Chapter 9](#), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 19, 2026.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

These changes update outdated language and code references, as well as eliminate outdated sections that are no longer used by the agency.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A.

NEGOTIATED RULEMAKING: Pursuant to Section [67-5220\(1\)](#), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 3, 2026 Idaho Administrative Bulletin, [Vol. 26-6, page 28](#).

INCORPORATION BY REFERENCE: Pursuant to Section [67-5229\(2\)\(a\)](#), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

Not applicable. There are no documents incorporated by reference affected by this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Matthew Reiber at 208-334-2830.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 26, 2026.

DATED this July 8, 2026.

Matthew Reiber, Deputy Secretary of State
Idaho Secretary of State
700 W. Jefferson St., EW205, Boise, ID, 83702
208-334-2300
mreiber@sos.idaho.gov
sos.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 34-0402-2601
(Only Those Sections With Amendments Are Shown.)

34.04.02 – RULES GOVERNING BUSINESS ENTITY NAMES

000. LEGAL AUTHORITY.

~~In accordance with Section 67-903(9) Chapter 9, Title 67, Idaho Code, the Secretary of State has authority to promulgate administrative rules in order to execute the duties of the office.~~ (3-31-22)()

001. SCOPE.

These rules apply to business entity name registration and ~~business entity name~~ reservation ~~as provided for~~ in Title 30, Chapters 21, ~~22, 23, 24, 25, 27, 29, and 30,~~ Idaho Code. (3-31-22)()

002. -- 009. (RESERVED)

~~010. DEFINITIONS.~~

~~01. Arabic Numerals. 0, 1, 2, 3, 4, 5, 6, 7, 8, and 9. (3-31-22)~~

~~02. Business Entity. A formally organized or registered entity created pursuant to state or federal law and usually designated through the use of a business entity identifier. (3-31-22)~~

~~03. Business Entity Identifiers. Company, Corporation, Incorporated, Limited, Chartered, Professional Association, Professional Company, Limited Liability Company, Limited Liability Partnership, Professional Limited Liability Company, Limited Partnership, Limited Liability Limited Partnership, Registered Limited Liability Partnership, and the abbreviations, Co., Corp., Inc., Ltd., P.A., P.C., Chtd., L.L.C., L.L.P., P.L.L.C., L.P., R.L.L.P., and L.L.L.P. (3-31-22)~~

~~04. English Alphabet. Letters A through Z. (3-31-22)~~

~~05. Internet Prefix. Internet prefixes include “www” and any other Internet prefix used to identify a website. (3-31-22)~~

~~06. Internet Suffix. Internet suffixes include .com, .org, .net, .gov, .edu, .coop, and any other Internet suffixes approved by the Internet Corporation for Assigned Names and Numbers (ICANN). (3-31-22)~~

~~07. Key Word. Any word that is not an article, preposition, conjunction, or Business Entity Identifier. (3-31-22)~~

~~08. Special Characters. Any special characters, such as ! “ \$ % () * @ ? +, and -, that are readily available on a standard English language keyboard. (3-31-22)~~

~~011. -- 099. (RESERVED)~~