

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 34.06.01 - Rules Governing the Electronic Recording of Real Property (Chapter  
Repeal)-Proposed Rule (Docket No. 34-0601-2601).

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 34.06.01 - Rules Governing the Electronic Recording of Real Property (Chapter Repeal)-Proposed Rule (Docket No. 34-0601-2601)

#### **Summary and Stated Reasons for the Rule**

The Secretary of State submits notice of proposed rulemaking at IDAPA 34.06.01 - Rules Governing the Electronic Recording of Real Property (Chapter Repeal) (Docket No. 34-0601-2601). The Secretary states that the proposed rule repeals IDAPA 34.06.01 in its entirety.

#### **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 38. 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, and Chapter 9, Title 28, 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<br>Legislative Services Office | Matt Drake, Manager<br>Research & Legislation | Keith Bybee, Manager<br>Budget & Policy Analysis | April Renfro, Manager<br>Legislative Audits | Norma Clark, Manager<br>Information Technology |
|--------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------|---------------------------------------------|------------------------------------------------|

Statehouse, P.O. Box 83720  
Boise, Idaho 83720-0054

Tel: 208-334-2475  
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## IDAPA 34 – IDAHO SECRETARY OF STATE

### 34.06.01 – RULES GOVERNING THE ELECTRONIC RECORDING OF REAL PROPERTY

#### DOCKET NO. 34-0601-2601 (CHAPTER REPEAL)

#### 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](#), and [Title 28, 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: This action eliminates the rule chapter.

**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 38](#).

**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: N/A. 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 8th day of July, 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](mailto:mreiber@sos.idaho.gov)  
[sos.idaho.gov](http://sos.idaho.gov)

**IDAPA [34.06.01](#) IS PROPOSED TO BE REPEALED IN ITS ENTIRETY**