

TITLE 34
ELECTIONS

CHAPTER 6
TIME OF ELECTIONS -- OFFICERS ELECTED

34-601. DATES ON WHICH ELECTIONS SHALL BE HELD. Elections shall be held in this state on the following dates or times:

(1) A primary election shall be held on the third Tuesday in May, 2012, and every two (2) years thereafter on the above-mentioned Tuesday.

(2) A general election shall be held on the first Tuesday after the first Monday of November, 2012, and every two (2) years thereafter on the above-mentioned Tuesday.

(3) Special state elections shall be held on the dates ordered by the governor's proclamation, or as otherwise provided by law.

(4) A presidential primary shall be held on the second Tuesday in March in each presidential election year.

[34-601, added 1970, ch. 140, sec. 81, p. 351; am. 1971, ch. 193, sec. 1, p. 879; am. 1975, ch. 174, sec. 12, p. 469; am. 1979, ch. 309, sec. 2, p. 834; am. 2009, ch. 341, sec. 57, p. 1032; am. 2012, ch. 33, sec. 2, p. 103; am. 2015, ch. 292, sec. 4, p. 1168.]

34-602. PUBLICATION OF NOTICES FOR PRIMARY, GENERAL OR SPECIAL ELECTIONS -- CONTENTS. The several county clerks shall publish at least two (2) times, the notices for any primary, general or special election. The notice shall state the date of the election, the polling place in each precinct and the hours during which the polls shall be open for the purpose of voting, and information about the accessibility of the polling places.

The first notice shall be published at least twelve (12) days prior to any election and the second notice shall be published not later than five (5) days prior to the election. The notice of election shall be published in at least two (2) newspapers published within the county, but if this is not possible, the notice shall be published in one (1) newspaper published within the county or a newspaper which has general circulation within the county.

The second notice of election shall be accompanied by a facsimile, except as to size, of the sample ballot for the election.

[34-602, added 1970, ch. 140, sec. 82, p. 351; am. 2004, ch. 112, sec. 1, p. 385; am. 2009, ch. 341, sec. 58, p. 1032.]

34-603. CERTIFICATION OF A PROPOSED CONSTITUTION, CONSTITUTIONAL AMENDMENT OR OTHER QUESTION TO BE SUBMITTED TO THE PEOPLE FOR VOTE. Whenever a proposed constitution, constitutional amendment or other question is to be submitted to the people of the state for popular vote, it shall be certified by the secretary of state to the county clerks not later than September 7 in the year in which it will be voted upon. It shall be published in the form prescribed by the secretary of state.

[34-603, added 1970, ch. 140, sec. 83, p. 351; am. 1973, ch. 304, sec. 6, p. 646; am. 1984, ch. 131, sec. 2, p. 306; am. 1985, ch. 42, sec. 2, p. 89.]

34-604. ELECTION OF UNITED STATES SENATOR -- QUALIFICATIONS. (1) At the general election, 1972, and every six (6) years thereafter, there shall be elected one (1) United States senator. At the general election, 1974, and every six (6) years thereafter, there shall be elected one (1) United States senator.

(2) No person shall be elected to the office of United States senator unless he has attained the age of thirty (30) years at the time of his election, has been a citizen of the United States at least nine (9) years and shall reside within the state at the time of his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of five hundred dollars (\$500) which shall be deposited in the general fund.

[34-604, added 1970, ch. 140, sec. 84, p. 351; am. 1996, ch. 28, sec. 1, p. 68.]

34-605. ELECTION OF UNITED STATES CONGRESSIONAL REPRESENTATIVES -- QUALIFICATIONS. (1) At the general election, 1972, and every alternate year thereafter, there shall be elected in each United States congressional district a member of the United States house of representatives and any additional number of representatives to which the state may be entitled in the state at large.

(2) No person shall be elected to the house of representatives unless he has attained the age of twenty-five (25) years at the time of his election, has been a citizen of the United States at least seven (7) years and shall reside within the state at the time of his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of three hundred dollars (\$300) which shall be deposited in the general fund.

[34-605, added 1970, ch. 140, sec. 85, p. 351; am. 1983, ch. 213, sec. 2, p. 591; am. 1996, ch. 28, sec. 2, p. 68.]

34-606. ELECTION OF PRESIDENTIAL ELECTORS. (1) At the general election, 1972, and every four (4) years thereafter, there shall be elected such a number of electors of president and vice president of the United States as the state may be entitled to in the electoral college.

(2) No person shall be elected to this position unless he has attained the age of twenty-one (21) years at the time of the election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.

(3) Such electors shall be certified to the secretary of state as provided for by law.

[34-606, added 1970, ch. 140, sec. 86, p. 351.]

34-607. ELECTION OF GOVERNOR -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a governor shall be elected.

(2) No person shall be elected to the office of governor unless he shall have attained the age of thirty (30) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of three hundred dollars (\$300) which shall be deposited in the general fund.

[34-607, added 1970, ch. 140, sec. 87, p. 351; am. 1996, ch. 28, sec. 3, p. 68.]

34-608. ELECTION OF LIEUTENANT GOVERNOR -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, there shall be elected a lieutenant governor.

(2) No person shall be elected to the office of lieutenant governor unless he shall have attained the age of thirty (30) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund.

[34-608, added 1970, ch. 140, sec. 88, p. 351; am. 1996, ch. 28, sec. 4, p. 69.]

34-609. ELECTION OF SECRETARY OF STATE -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a secretary of state shall be elected.

(2) No person shall be elected to the office of secretary of state unless he shall have attained the age of twenty-five (25) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund.

[34-609, added 1970, ch. 140, sec. 89, p. 351; am. 1996, ch. 28, sec. 5, p. 69.]

34-610. ELECTION OF STATE CONTROLLER -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a state controller shall be elected.

(2) No person shall be elected to the office of state controller unless he shall have attained the age of twenty-five (25) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund.

[34-610, added 1970, ch. 140, sec. 90, p. 351; am. 1994, ch. 181, sec. 1, p. 576; am. 1996, ch. 28, sec. 6, p. 69.]

34-611. ELECTION OF STATE TREASURER -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a state treasurer shall be elected.

(2) No person shall be elected to the office of state treasurer unless he shall have attained the age of twenty-five (25) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund.

[34-611, added 1970, ch. 140, sec. 91, p. 351; am. 1996, ch. 28, sec. 7, p. 70.]

34-612. ELECTION OF ATTORNEY GENERAL -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, an attorney general shall be elected.

(2) No person shall be elected to the office of attorney general unless he shall have attained the age of thirty (30) years at the time of his election, is admitted to the practice of law within the state, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund.

[34-612, added 1970, ch. 140, sec. 92, p. 351; am. 1996, ch. 28, sec. 8, p. 70.]

34-613. ELECTION OF SUPERINTENDENT OF PUBLIC INSTRUCTION -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a superintendent of public instruction shall be elected.

(2) No person shall be elected to the office of superintendent of public instruction unless he shall have attained the age of twenty-five (25) years at the time of his election, is a citizen of the United States, has a bachelor's degree from an accredited college or university, and shall have resided within the state two (2) years next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund.

[34-613, added 1970, ch. 140, sec. 93, p. 351; am. 1974, ch. 182, sec. 1, p. 1478; am. 1994, ch. 277, sec. 1, p. 864; am. 1996, ch. 28, sec. 9, p. 70.]

34-614. ELECTION OF STATE REPRESENTATIVES AND SENATORS -- QUALIFICATIONS. (1) At the general election, 1972, and every alternate year thereafter, there shall be elected in each legislative district such representatives and senators as they may be severally entitled.

(2) No person shall be elected to the office of representative or senator unless he shall have attained the age of twenty-one (21) years at the time of the general election, is a citizen of the United States and shall have been a registered elector within the legislative district one (1) year next preceding the general election at which he offers his candidacy.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of thirty dollars (\$30.00) which shall be deposited in the general fund.

[34-614, added 1970, ch. 140, sec. 94, p. 351; am. 1981 (E.S.), ch. 2, sec. 1, p. 3; am. 1996, ch. 28, sec. 10, p. 71; am. 2019, ch. 227, sec. 1, p. 711.]

34-614A. CANDIDATES FOR STATE LEGISLATURE. (1) A candidate for the office of state senator in a multi-member legislative district, and all candidates for the office of representative shall declare, in their declarations of candidacy, the specific seat or position that they seek.

(2) The secretary of state shall designate positions by using the terms "Position A", "Position B", and continuing in such fashion until all seats or positions in each district are properly labeled. The positions in each district shall be separately and distinctly placed on the primary and general election ballots, and for each position to be filled the ballot shall state "Vote for one".

(3) The candidate receiving the greatest number of votes for the position he seeks shall be declared nominated, or elected, as the case may be.

[34-614A, added 1984, ch. 121, sec. 2, p. 279.]

34-615. ELECTION -- SELECTION -- OF JUSTICES OF THE SUPREME COURT -- QUALIFICATIONS. (1) At the primary election, 1972, and every alternate year thereafter, subject to the provisions of section [34-1217](#), Idaho Code, there shall be elected justices of the supreme court to fill any vacancy or vacancies occasioned by the expiration of the term or terms of office of any member or members.

(2) To be elected or appointed to the office of justice of the supreme court a person must, at the time of such election or appointment, meet all of the following qualifications:

(a) Be at least thirty (30) years of age;

(b) Be a citizen of the United States and an elector of the state of Idaho;

(c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such election or appointment;

(d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such election or appointment; and

(e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least ten (10) continuous years immediately preceding such election or appointment.

For purposes of this section, the following terms have the following meanings:

(a) "Active," "judicial" and "good standing" have the same definitions as those terms are given by rule 301 of the Idaho bar commission rules or any successors to those rules;

(b) "Jurisdiction" means a state or territory of the United States, the District of Columbia or any branch of the United States military; and

(c) "Elector" means one who is lawfully registered to vote.

(3) Each candidate for election shall file a declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of three hundred dollars (\$300) which shall be deposited in the general fund.

[34-615, added 1970, ch. 140, sec. 95, p. 351; am. 1972, ch. 46, sec. 1, p. 84; am. 1985, ch. 29, sec. 6, p. 56; am. 1996, ch. 28, sec. 11, p. 71; am. 2015, ch. 310, sec. 3, p. 1218.]

34-616. ELECTION -- SELECTION -- OF DISTRICT JUDGES -- QUALIFICATIONS. (1) At the primary election, 1974, and every four (4) years thereafter, subject to the provisions of section [34-1217](#), Idaho Code, there shall be elected in each judicial district a sufficient number of district judges to fill any vacancy or vacancies occasioned by the expiration of the term or terms of office of any member or members.

(2) To be elected to the office of district judge a person must, at the time of such election, meet all of the following qualifications:

(a) Be at least thirty (30) years of age;

(b) Be a citizen of the United States and an elector in the judicial district in which elected;

(c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such election;

(d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such election; and

(e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least ten (10) continuous years immediately preceding such election.

(3) Each candidate for election shall file a declaration of candidacy with the secretary of state.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of one hundred fifty dollars (\$150) which shall be deposited in the general fund.

(5) To be appointed to the office of district judge a person must, at the time of such appointment, meet all of the following qualifications:

(a) Be at least thirty (30) years of age;

(b) Be a citizen of the United States and an elector of the state of Idaho;

(c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such appointment;

(d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such appointment; and

(e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least ten (10) continuous years immediately preceding such appointment.

(6) For purposes of this section, the following terms have the following meanings:

(a) "Active," "judicial" and "good standing" have the same definitions as those terms are given by rule 301 of the Idaho bar commission rules or any successors to those rules;

(b) "Jurisdiction" means a state or territory of the United States, the District of Columbia or any branch of the United States military; and

(c) "Elector" means one who is lawfully registered to vote.

[34-616, added 1970, ch. 140, sec. 96, p. 351; am. 1970, ch. 231, sec. 1, p. 643; am. 1972, ch. 46, sec. 2, p. 84; am. 1985, ch. 29, sec. 7, p. 57; am. 1996, ch. 28, sec. 12, p. 72; am. 2015, ch. 282, sec. 4, p. 1148; am. 2015, ch. 310, sec. 4, p. 1219; am. 2016, ch. 47, sec. 19, p. 112.]

34-617. ELECTION OF COUNTY COMMISSIONERS -- QUALIFICATIONS. (1) A board of county commissioners shall be elected in each county at the general elections as provided by section [31-703](#), Idaho Code.

(2) No person shall be elected to the board of county commissioners unless he has attained the age of twenty-one (21) years at the time of the election, is a citizen of the United States, and shall have resided in the county one (1) year next preceding his election and in the district which he represents for a period of ninety (90) days next preceding the primary election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.

[34-617, added 1970, ch. 140, sec. 97, p. 351; am. 1982, ch. 332, sec. 2, p. 839; am. 1993, ch. 159, sec. 1, p. 409; am. 1996, ch. 28, sec. 13, p. 72.]

34-618. ELECTION OF COUNTY SHERIFFS -- QUALIFICATIONS. (1) At the general election, 1972, and every four (4) years thereafter, a sheriff shall be elected in every county.

(2) No person shall be elected to the office of sheriff unless he has attained the age of twenty-one (21) years at the time of election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.

(5) Each person who has been elected to the office of sheriff for the first time shall complete a tutorial concerning current Idaho law and rules

as prescribed by the Idaho peace officers standards and training academy, unless the person is already certified as a chief of police, peace officer or detention deputy in the state of Idaho, and shall attend the newly elected sheriffs' school sponsored by the Idaho sheriffs' association.

[34-618, added 1970, ch. 140, sec. 98, p. 351; am. 1996, ch. 28, sec. 14, p. 72; am. 2008, ch. 329, sec. 1, p. 901.]

34-619. ELECTION OF CLERKS OF DISTRICT COURTS -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a clerk of the district court shall be elected in every county. The clerk of the district court shall be the ex officio auditor and recorder.

(2) No person shall be elected to the office of clerk of the district court unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States, and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.

[34-619, added 1970, ch. 140, sec. 99, p. 351; am. 1996, ch. 28, sec. 15, p. 73.]

34-620. ELECTION OF COUNTY TREASURERS -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a county treasurer shall be elected in every county. The county treasurer shall be the ex officio public administrator and ex officio tax collector.

(2) No person shall be elected to the office of county treasurer unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.

[34-620, added 1970, ch. 140, sec. 100, p. 351; am. 1971, ch. 193, sec. 2, p. 879; am. 1996, ch. 28, sec. 16, p. 73.]

34-621. ELECTION OF COUNTY ASSESSORS -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a county assessor shall be elected in every county.

(2) No person shall be elected to the office of county assessor unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.

[34-621, added 1970, ch. 140, sec. 102, p. 351; am. 1971, ch. 193, sec. 3, p. 879; am. 1996, ch. 28, sec. 17, p. 74.]

34-622. ELECTION OF COUNTY CORONERS -- QUALIFICATIONS. (1) At the general election, 1986, and every four (4) years thereafter, a coroner shall be elected in every county.

(2) No person shall be elected to the office of coroner unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.

(5) All newly elected or appointed county coroners shall attend a coroner's school within one (1) year of taking office. Such school shall be sponsored or endorsed by the Idaho state association of county coroners.

[34-622, added 1970, ch. 140, sec. 102, p. 351; am. 1994, ch. 54, sec. 5, p. 94; am. 1996, ch. 28, sec. 18, p. 74; am. 2010, ch. 355, sec. 2, p. 933.]

34-623. ELECTION OF COUNTY PROSECUTING ATTORNEYS -- QUALIFICATIONS. (1) At the general election, 1984, and every four (4) years thereafter, a prosecuting attorney shall be elected in every county.

(2) No person shall be elected to the office of prosecuting attorney unless he has attained the age of twenty-one (21) years at the time of his election, is admitted to the practice of law within this state, is a citizen of the United States and a qualified elector within the county.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.

[34-623, added 1970, ch. 140, sec. 103, p. 351; am. 1972, ch. 115, sec. 1, p. 230; am. 1984, ch. 80, sec. 1, p. 147; am. 1996, ch. 28, sec. 19, p. 74.]

34-624. ELECTION OF PRECINCT COMMITTEEMEN -- QUALIFICATIONS. (1) At the primary election, 1980, and every two (2) years thereafter, a precinct committeeman for each political party shall be elected in every voting precinct within each county. The term of office of a precinct committeeman shall be from the eighth day following the primary election until the eighth day following the next succeeding primary election.

(2) No person shall be elected to the office of precinct committeeman unless he has attained the age of eighteen (18) years at the time of his election, is a citizen of the United States, a registered elector of and shall have resided within the voting precinct for a period of six (6) months next preceding his election.

(3) Each candidate shall file a declaration of candidacy with the county clerk.

(4) No filing fee shall be charged any candidate at the time of his filing his declaration of candidacy.

[34-624, added 1970, ch. 140, sec. 104, p. 351; am. 1971, ch. 29, sec. 1, p. 73; am. 1972, ch. 128, sec. 1, p. 256; am. 1975, ch. 174, sec. 16, p. 469; am. 1979, ch. 309, sec. 3, p. 835; am. 1996, ch. 28, sec. 20, p. 75; am. 2011, ch. 285, sec. 5, p. 780.]

34-624A. ALTERNATIVE TO PRECINCT COMMITTEEMAN -- PRECINCT COMMITTEEMAN AND VOTERS' DELEGATE TO THE PARTY'S COUNTY AND DISTRICT CONVENTIONS. (1) At least sixty (60) days prior to an election at which precinct committeemen are to be elected, the state chairman of any Idaho political party may request the secretary of state to replace, as to that party chairman's party, the ballot position title of "precinct committeeman" with the ballot position title "precinct committeeman and voters' delegate to the party's county and district conventions." The party chairman making such a request to the secretary of state shall include with his request a sworn and acknowledged affidavit stating that he is the party chairman for his political party and that it is the state policy of his party that precinct committeemen be delegates to the party's county and district conventions.

(2) Upon receipt of such request and affidavit, the secretary of state shall have the duty to implement the request when prescribing the form and content of ballots and related documents and when preparing ballot instructions for Idaho counties.

(3) After the secretary of state has ordered such use, whenever the title "precinct committeeman" or its plural form shall be used in the Idaho Code, the title shall be construed to include within its meaning the title "precinct committeeman and voters' delegate to the party's county and district conventions" or its plural form.

[34-624A, added 1976, ch. 346, sec. 1, p. 1153.]

34-625. ELECTION OF HIGHWAY DISTRICT COMMISSIONERS IN SINGLE COUNTY-WIDE DISTRICTS -- QUALIFICATIONS. (1) In each general election, highway district commissioners in single countywide districts shall be elected as provided for in section [40-1404](#), Idaho Code.

(2) No person shall be elected to the office of highway district commissioner unless he shall have attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States, and shall be a resident of the highway district commissioner's subdistrict for which he seeks office.

(3) Each candidate shall file a declaration of candidacy with the county clerk not less than ninety (90) days prior to the general election. Each declaration of candidacy shall also bear the following words: "I am a resident within the boundaries of Highway District Commissioner's Subdistrict Number"

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of ten dollars (\$10.00) which shall be deposited in the county current expense fund.

[34-625, as added by S.L. 1972, ch. 345, sec. 1, p. 1013; am. 1985, ch. 253, sec. 4, p. 701; am. 1987, ch. 75, sec. 1, p. 147; am. 1998, ch. 300, sec. 3, p. 991; am. 2007, ch. 313, sec. 1, p. 884.]

34-625A. ELECTION OF HIGHWAY DISTRICT COMMISSIONERS IN CERTAIN SINGLE COUNTYWIDE DISTRICTS -- QUALIFICATIONS. (1) In each general election, highway district commissioners in single countywide districts shall be elected as provided for in section [40-1404A](#), Idaho Code.

(2) No person shall be elected to the office of highway district commissioner unless he shall have attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States, and shall be a resident of the highway district commissioner's subdistrict for which he seeks office.

(3) Each candidate shall file a declaration of candidacy with the county clerk not less than ninety (90) days prior to the general election. Each declaration of candidacy shall also bear the following words: "I am a resident within the boundaries of Highway District Commissioner's Subdistrict Number"

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of ten dollars (\$10.00) which shall be deposited in the county current expense fund.

[34-625A, added 1998, ch. 300, sec. 4, p. 991; am. 2007, ch. 313, sec. 2, p. 884.]

34-626. PETITION IN LIEU OF FILING FEE. In lieu of paying the filing fee, candidates may qualify for the offices mentioned in section [34-604](#) through section [34-623](#), Idaho Code, by filing a declaration of candidacy and a nominating petition. The petition shall contain the signatures of qualified electors as follows:

- (a) One thousand (1,000) for any statewide office;
- (b) Five hundred (500) for any congressional district office (all signatures within proper district);
- (c) Two hundred (200) for the office of district judge (all signatures within proper district);
- (d) Fifty (50) for any legislative district office (all signatures within proper district);
- (e) Five (5) for any county office (county commissioner signatures shall be within commissioner district).

Signatures on such nominating petitions shall be verified in the manner prescribed in section [34-1807](#), Idaho Code.

[34-626, added 1996, ch. 28, sec. 22, p. 75.]

34-627. HOLDERS OF PARTISAN ELECTIVE OFFICE CHANGING POLITICAL PARTIES. Whenever any holder of a partisan elective office desires to change political parties, the change shall only be effective if the holder files a declaration of intent to change political parties with the election official with whom the holder of the partisan elective office has filed his declaration of candidacy for the office that the holder of the partisan elective office currently holds. After receiving the declaration of intent, the election official shall send a copy of the declaration to the affected political party central committees of both the political party, if any, that the holder of the partisan elective office desires to leave and the political party, if any, that the holder of the partisan elective office desires to join. A holder of a partisan elective office cannot change political parties between the date the holder of partisan elective office files for the primary election through three (3) months after the general election in

which the partisan elective office was on the ballot. A holder of a partisan elective office only may change political parties pursuant to this section once per term. The election official shall be authorized to charge a holder of a partisan elective office desiring to change his political party a twenty-five dollar (\$25.00) fee to defray the election official's expenses in administering the provisions of this section.

[34-627, added 1997, ch. 202, sec. 1, p. 577; am. 2017, ch. 21, sec. 1, p. 39.]