

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 566

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE PUBLIC INTEGRITY IN ELECTIONS ACT; AMENDING SECTION 74-603,
IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS;
AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 74-603, Idaho Code, be, and the same is hereby
amended to read as follows:

74-603. DEFINITIONS. As used in this chapter:

(1) (a) "Advocate" means to campaign for or against a candidate or the
outcome of a ballot measure.

(b) "Advocate" does not mean providing factual information about a bal-
lot measure and the public entity's reason for the ballot measure stated
in a factually neutral manner. Factual information includes, but is not
limited to, the cost of indebtedness, intended purpose, condition of
property to be addressed, date and location of election, qualifications
of candidates, or other applicable information necessary to provide
transparency to electors.

(2) "Ballot measure" means constitutional amendments, bond measures,
or levy measures.

(3) "Candidate" means and includes every person for whom it is contem-
plated or desired that votes be cast at any political convention, primary,
general, local, or special election and who either tacitly or expressly con-
sents to be so considered.

(4) "Expenditure" means:

(a) A purchase, payment, donation, distribution, loan, advance, de-
posit, gift of money, or anything of value; or

(b) A legally enforceable contract, promise, or agreement to make any
purchase, payment, donation, distribution, loan, advance, deposit,
gift of money, or anything of value.

(5) "Property or resources" means goods, services, equipment, computer
software and hardware, college extra credit, other items of intangible prop-
erty, or facilities provided to or for the benefit of a candidate, a can-
didate's personal campaign committee, a political issues committee for po-
litical purposes, or advocacy for or against a ballot measure or candidate.
Public property or resources that are available to the general public, at
such times and in such manner as they are available to the general public,
are exempt from this exclusion and may be used by a political party as defined
in section 34-109, Idaho Code, provided that all political parties are given
equal and fair access.

(6) "Public entity" means the state, each state agency, county, munici-
pality, school district, state institution of higher learning, or other tax-

1 ing district or public corporation empowered to submit ballot measures to
2 its electors.

3 (7) "Public funds" means any money received by a public entity from ap-
4 propriations, taxes, fees, interest, or other returns on investment.

5 (8) "Public official" means an elected or appointed member of a public
6 entity who has:

7 (a) Authority to make or determine public policy;

8 (b) Supervisory authority over the personnel and affairs of a public
9 entity; or

10 (c) Authority to approve the expenditure of funds for the public en-
11 tity.

12 (9) "State agency" means each department, commission, board, council,
13 agency, institution, officer, corporation, fund, division, office, commit-
14 tee, authority, or other administrative unit of the state.

15 SECTION 2. An emergency existing therefor, which emergency is hereby
16 declared to exist, this act shall be in full force and effect on and after
17 July 1, 2022.