

IN THE SENATE

SENATE BILL NO. 1078

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO VOTERS; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A
2 NEW CHAPTER 8, TITLE 34, IDAHO CODE, TO ESTABLISH PROVISIONS REGARD-
3 ING VOTERS' GUIDES TO BE PREPARED AND DISTRIBUTED BY THE SECRETARY OF
4 STATE; AMENDING SECTION 34-1812C, IDAHO CODE, TO PROVIDE FOR VOTERS'
5 GUIDES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-453,
6 IDAHO CODE, TO REVISE A PROVISION REGARDING VOTERS' PAMPHLETS AND TO
7 MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN
8 EFFECTIVE DATE.
9

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

11 SECTION 1. That Title 34, Idaho Code, be, and the same is hereby amended
12 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
13 ter 8, Title 34, Idaho Code, and to read as follows:

14 CHAPTER 8
15 VOTERS' GUIDES

16 34-801. VOTERS' GUIDE -- DUTY OF SECRETARY OF STATE -- PURPOSE. The
17 secretary of state shall prepare and distribute a voters' guide before each
18 primary and general election in accordance with the provisions of this chap-
19 ter. The purpose of the voters' guide is to provide electors with uniform
20 information about issues, measures, and candidates to be voted on in primary
21 and general elections.

22 34-802. VOTERS' GUIDE -- CONTENT -- FORM. (1) The secretary of state
23 shall prescribe the form and arrangement of content for the voters' guide.
24 The voters' guide shall contain the following information:

25 (a) In each general election at which an initiative or referendum mea-
26 sure is to be submitted to the electors:

27 (i) A complete copy of the title and text of each measure with the
28 number and form in which the ballot title thereof will be printed
29 on the official ballot;

30 (ii) A copy of the fiscal impact statement summary for a state mea-
31 sure;

32 (iii) A copy of the sponsor's proposed funding source information
33 for a state measure; and

34 (iv) A copy of the arguments and rebuttals for and against
35 each state measure submitted pursuant to sections 34-1812A and
36 34-1812B, Idaho Code.

37 (b) In each election at which a proposal to amend the constitution of
38 the state of Idaho is to be submitted to the electors, presentation of
39 major arguments submitted by the legislative council and the text of the
40 proposed amendment;

1 (c) The names of candidates for state and federal offices that will ap-
2 pear on the ballot;

3 (d) If timely submitted by a candidate for state or federal office:

4 (i) A statement not exceeding two hundred (200) words;

5 (ii) The candidate's campaign contact information; and

6 (iii) The candidate's photograph, which shall not be more than
7 four (4) years old and shall be in a format the secretary of state
8 determines suitable for reproduction in the voters' guide; and

9 (e) Any additional information relating to elections as is required by
10 law or in the discretion of the secretary of state is deemed informative
11 to the electors.

12 (2) Statements, information, and photographs submitted by candidates
13 pursuant to this section must be received in the office of the secretary of
14 state within seven (7) days after the filing deadline set forth in section
15 34-704, Idaho Code, in order to be included in the voters' guide.

16 (3) The voters' guide shall be printed:

17 (a) On pages no smaller than 6 x 9 inches in size;

18 (b) In clear, readable type that is no less than 10-point, except that
19 the text of any measure may be set forth in no less than 7-point type; and

20 (c) On a quality and weight of paper that, in the judgment of the secre-
21 tary of state, best serves the voters.

22 34-803. DISTRIBUTION OF VOTERS' GUIDES. (1) No later than thirty (30)
23 days before the election for which the voters' guide has been prepared, the
24 secretary of state shall distribute the voters' guide to every household in
25 the state.

26 (2) Sufficient copies of the voters' guide shall be sent to each county
27 clerk. The secretary of state and county clerks shall make copies of the vot-
28 ers' guide available upon request.

29 (3) The secretary of state may make all information provided in the vot-
30 ers' guide available on its official website.

31 SECTION 2. That Section 34-1812C, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 34-1812C. VOTERS' PAMPHLET. (1) Not later than September 25 before any
34 regular general election at which an initiative or referendum measure is to
35 be submitted to the people, the secretary of state shall cause to be printed a
36 voters' pamphlet ~~which that~~ shall contain the following:

37 (a) A complete copy of the title and text of each measure with the number
38 and form in which the ballot title thereof will be printed on the offi-
39 cial ballot;

40 (b) A copy of the fiscal impact statement summary for a state measure;

41 (c) A copy of the sponsor's proposed funding source information for a
42 state measure; and

43 (d) A copy of the arguments and rebuttals for and against each state
44 measure.

45 (2) The secretary of state shall mail or distribute a copy of the vot-
46 ers' pamphlet to every household in the state. Sufficient copies of the vot-
47 ers' pamphlet shall also be sent to each county clerk. The county clerk and

1 the secretary of state shall make copies of the voters' pamphlet available
2 upon request.

3 (3) The voters' pamphlet shall be printed according to the following
4 specifications:

5 (a) The pages of the pamphlet shall be not smaller than 6 x 9 inches in
6 size;

7 (b) It shall be printed in clear, readable type, no less than 10-point,
8 except that the text of any measure may be set forth in no less than
9 7-point type;

10 (c) It shall be printed on a quality and weight of paper that, in the
11 judgment of the secretary of state, best serves the voters;

12 (d) If the material described in subsection (1) of this section is com-
13 bined in a single publication with constitutional amendments, the en-
14 tire publication shall be treated as a legal notice.

15 (4) If a voters' guide that meets the requirements of this section has
16 been prepared pursuant to chapter 8, title 34, Idaho Code, then the secretary
17 of state shall be deemed to have complied with this section.

18 SECTION 3. That Section 67-453, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 67-453. STATEMENTS REGARDING PROPOSED CONSTITUTIONAL AMENDMENTS. (1)
21 Whenever the legislature shall have directed the submission of a proposal to
22 amend the constitution of the state of Idaho to the electors, the legisla-
23 tive council shall, not less than one hundred twenty (120) days prior to the
24 date of the election at which the proposed amendment will be submitted to the
25 people, prepare and file with the secretary of state a dossier containing the
26 following:

27 (a) A brief statement setting forth in simple, understandable language
28 the meaning and purpose of the proposed amendment and the result to be
29 accomplished by such amendment. The statement shall be included in the
30 publications of the proposed amendment required by law of the secretary
31 of state, and shall be printed on the official ballot by which such pro-
32 posed amendment is submitted to the electors; and

33 (b) A concise presentation of the major arguments advanced by the pro-
34 ponents and opponents of the proposed amendment designed to represent
35 as fairly as possible the arguments relative to the proposed amend-
36 ment. In preparing such arguments, the legislative council may seek
37 the advice and suggestions of known supporters and opponents or any
38 other persons or groups and may, in its sole discretion, use any of the
39 suggested arguments. If any such suggestions are utilized by the leg-
40 islative council, no recognition shall be given to the persons or groups
41 ~~which that~~ submitted the argument. The arguments shall be published in
42 the publications required by law of the secretary of state, but shall
43 not appear on the ballot by which such proposed amendment is submitted
44 to the electors.

45 (2) The secretary of state shall cause to be printed in either the vot-
46 ers' pamphlet pursuant to section 34-1812C, Idaho Code, or in a pamphlet sim-
47 ilar to the voters' pamphlet voters' guide pursuant to chapter 8, title 34,
48 Idaho Code, the arguments prepared pursuant to subsection (1) of this sec-
49 tion and the question that will be on the general election ballot.

1 SECTION 4. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 1, 2023.