IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 386

BY STATE AFFAIRS COMMITTEE

1        AN ACT
2  RELATING TO COUNTY ELECTION RECORDS; AMENDING SECTION 34-217, IDAHO CODE,
3      TO REVISE PROVISIONS REGARDING THE RECORDS THAT SHALL BE RETAINED FOR
4      A SPECIFIED NUMBER OF YEARS; AND AMENDING SECTION 34-416, IDAHO CODE,
5      TO PROVIDE THAT THE STATEWIDE VOTER REGISTRATION DATABASE SHALL CONSTI-
6      TUTE THE REGISTER OF ELECTORS.

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

8      SECTION 1.  That Section 34-217, Idaho Code, be, and the same is hereby
9  amended to read as follows:

10      34-217.   RETENTION OF COUNTY ELECTION RECORDS. County election
11  records shall be maintained by the county clerk for the time periods outlined
12  in this section.  Records shall be maintained for the period specified be-
13  ginning with the date the record is created or has become no longer valid,
14  whichever is greater.
15      (1)  The following records shall be retained for not less than five (5)
16  years:
17      (a)  Voter registration cards for electors whose registration has been
18      terminated.;
19      (b)  Correspondence relating to an elector's voter registration;
20      (c)  Combination election record and poll book., including the ballot
21      accounting page;
22      (cd)  Declaration of candidacy. and petition of candidacy forms filed
23      with the county clerk;
24      (de)  Maps of precinct boundaries with legal descriptions.;
25      (ef)  List of absentee voters.; and
26      (g)  County initiatives and petitions that qualify for placement on the
27      ballot.
28      (2)  The following shall be retained for two (2) years:
29      (a)  Correspondence relating to an elector's voter registration.
30      (b)  Completed absentee ballot request forms.;
31      (eb)  Tally books.;
32      (dc)  Voted ballots.;
33      (ed)  Any ballots that were required to be duplicated before being
34      counted.;
35      (e)  Certified lists of candidates or declaration of candidacy forms
36      from special districts used for ballot preparation; and
37      (f)  Certified ballot language from special districts for any question
38      placed on the ballot.
39      (3)  The following shall be maintained for one (1) year:
40      (a)  Absentee ballot affidavit envelopes.;
41      (b)  Notice of election.;
42      (c)  Personal identification affidavit.;

1    (d) ~~Unvoted ballots from the primary election.~~
2    ~~(e)~~ Ballot tracking logs~~.~~;
3    (~~f~~e) Automated tabulation election logs~~.~~;
4    (~~g~~f)  Copy of the election definition and program used in tabulating
5    ballots electronically and in the ballot marking device~~.~~; and
6    (~~h~~g)  Record of the number of ballots printed and furnished to each
7    polling place.
8    (4)  Other election supplies including, but not limited to, unused bal-
9    lots, official election ballot identification <u>or official ballot stamps,</u>
10   <u>receipts for supplies</u> and spoiled ballots may be disposed of sixty (60) days
11   following the deadline for requesting a recount or filing an election con-
12   test pursuant to chapters 20 and 21, title 34, Idaho Code.

13   SECTION 2.  That Section 34-416, Idaho Code, be, and the same is hereby
14   amended to read as follows:

15   34-416.  REGISTRATION APPLICATIONS. (1) The registration application
16   shall contain the following warning:

17   WARNING: Any elector who supplies any information, knowing it to be
18   false, is guilty of perjury.

19   (2)  The elector shall read the warning set forth in subsection (1) of
20   this section and shall sign his name in an appropriate place on the completed
21   application.
22   (3)  The registration application completed and signed as provided
23   in this section constitutes the official registration application of the
24   elector.  The county clerk shall keep and file all such applications in a
25   convenient manner in his office.  Such applications ~~constitute the register~~
26   ~~of electors and~~ shall be considered confidential and unavailable for pub-
27   lic inspection and copying except as provided by subsection (25) of section
28   74-106, Idaho Code.
29   <u>(4)  The statewide voter registration database maintained by the secre-</u>
30   <u>tary of state's office shall constitute the register of electors.</u>