

IN THE SENATE

SENATE BILL NO. 1341

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO BALLOTS; AMENDING SECTION 34-1203, IDAHO CODE, TO REVISE PROVI-
2 SIONS REGARDING THE RELEASE OF BALLOT COUNTS TO THE PUBLIC AND TO MAKE
3 TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EF-
4 FECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 34-1203, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 34-1203. COUNTING OF BALLOTS -- CERTIFICATES OF JUDGES. (1) The bal-
10 lots and polls lists agreeing, the election personnel shall then proceed
11 to tally the votes cast. Under each office title, the number of votes for
12 each candidate and such other information required by the secretary of state
13 shall be entered in the tally books together with the total of the above fig-
14 ures in the manner prescribed by the secretary of state. Any ballot or part
15 of a ballot from which it is impossible to determine the elector's choice,
16 shall be void and shall not be counted. When a ballot is sufficiently plain
17 to determine therefrom a part of the voter's intention, it shall be the duty
18 of the judges to count such part.

19 (2) Following the counting, the judges must transmit a copy of the re-
20 sults to the county clerk.

21 (3) (a) In no event shall the results of any count be released For any
22 election in which at least one (1) office election or ballot question in
23 the county occurs in both time zones in Idaho, the county clerk shall re-
24 lease no election results to the public until all voting places in the
25 state have closed on election day.

26 (b) If no office election or ballot question in the county occurs in
27 both time zones in Idaho, the county clerk may release the election re-
28 sults to the public at any time after all voting places in the county
29 have closed on election day.

30 (4) The secretary of state shall issue directives or promulgate admin-
31 istrative rules adopting standards that define what constitutes a vote and
32 what will be counted as a vote for each category of voting system used in this
33 state.

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