

LEGISLATURE OF THE STATE OF IDAHO
Sixty-eighth Legislature First Regular Session - 2025

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 377

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO RECALL ELECTIONS; AMENDING SECTION 34-1702, IDAHO CODE, TO RE-
VISE PROVISIONS REGARDING REQUIRED SIGNATURES ON A CERTAIN PETITION;
AND DECLARING AN EMERGENCY.

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

SECTION 1. That Section 34-1702, Idaho Code, be, and the same is hereby
amended to read as follows:

34-1702. REQUIRED SIGNATURES ON PETITION. A petition for recall of an
officer shall be instituted by filing with the appropriate official a veri-
fied written petition requesting such recall.

(1) If the petition seeks recall of any of the officers named in subsec-
tion (1) (a) of section 34-1701, Idaho Code, the petition shall be filed with
the secretary of state and must be signed by registered electors equal in
number to twenty percent (20%) of the number of electors registered to vote
at the last general election held to elect a governor.

(2) If the petition seeks recall of any of the officers named in subsec-
tion (1) (b) of section 34-1701, Idaho Code, the petition shall be filed with
the secretary of state and must be signed by registered electors of the leg-
islative district equal in number to twenty percent (20%) of the number of
electors registered to vote at the last general election held in the legisla-
tive district at which the member was elected.

(3) If the petition seeks recall of any of the officers named in sub-
section (2) (a) of section 34-1701, Idaho Code, the petition shall be filed
with the county clerk and must be signed by registered electors of the county
equal in number to twenty percent (20%) of the number of electors registered
to vote at the last general election held in the county for the election of
county officers at which the officer was elected.

(4) If the petition seeks recall of any of the officers named in subsec-
tion (3) of section 34-1701, Idaho Code, the petition shall be filed with the
county clerk and must be signed by registered electors of the city equal in
number to twenty percent (20%) of the number of electors registered to vote
at the last general city election held in the city for the election of of-
ficers. For cities that elect council members based on districts, pursuant
to section 50-707A, Idaho Code, the petition shall be signed by registered
electors residing within the district in which the electors are eligible to
vote for the official equal in number to twenty percent (20%) of the number
of electors registered to vote at the last election for the district in which
the recall is sought. If the city is located in two (2) or more counties, the
clerk in each county shall perform the functions within that county as pro-
vided in section 34-1401, Idaho Code.

(5) If the petition seeks recall of any of the officers named in subsec-
tion (4) of section 34-1701, Idaho Code, the petition shall be filed with the

1 county clerk of the county wherein the district is located. If the district
2 is located in two (2) or more counties, the clerk in each county shall per-
3 form the functions within that county. The petition must be signed by reg-
4 istered electors residing within the district, subdistrict, or zone in which
5 the electors are eligible to vote for the official, equal in number to fifty
6 percent (50%) of the number of electors who cast votes in the last election
7 within the district, subdistrict, or zone. If no such election has been held
8 in the last six (6) years, the petition must be signed by twenty percent (20%)
9 of the number of electors registered to vote in the district, subdistrict, or
10 zone in which the electors are eligible to vote for the official, as calcu-
11 lated at the time the petition is filed.

12 SECTION 2. An emergency existing therefor, which emergency is hereby
13 declared to exist, this act shall be in full force and effect on and after its
14 passage and approval.