

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 393

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-604, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-605, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-608, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-609, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-610, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-611, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-612, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-613, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-614, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-615, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-616, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-617, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-618, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-619, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-620, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-621, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-622, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AMENDING SECTION 34-623, IDAHO CODE, TO REVISE A PROVISION REGARDING A CERTAIN FILING FEE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 34-604, Idaho Code, be, and the same is hereby amended to read as follows:

34-604. ELECTION OF UNITED STATES SENATOR -- QUALIFICATIONS. (1) At the general election, 1972, and every six (6) years thereafter, there shall be elected one (1) United States senator. At the general election, 1974, and every six (6) years thereafter, there shall be elected one (1) United States senator.

(2) No person shall be elected to the office of United States senator unless he has attained the age of thirty (30) years at the time of his election, has been a citizen of the United States at least nine (9) years and shall reside within the state at the time of his election.

(3) Each candidate shall file his declaration of candidacy with the secretary of state.

1 (4) Each candidate who files a declaration of candidacy shall at the  
 2 same time pay a filing fee of ~~five hundred dollars (\$500)~~ one thousand dol-  
 3 lars (\$1,000), which shall be deposited in the general fund.

4 SECTION 2. That Section 34-605, Idaho Code, be, and the same is hereby  
 5 amended to read as follows:

6 34-605. ELECTION OF UNITED STATES CONGRESSIONAL REPRESENTATIVES --  
 7 QUALIFICATIONS. (1) At the general election, 1972, and every alternate  
 8 year thereafter, there shall be elected in each United States congressional  
 9 district a member of the United States house of representatives and any ad-  
 10 ditional number of representatives to which the state may be entitled in the  
 11 state at large.

12 (2) No person shall be elected to the house of representatives unless he  
 13 has attained the age of twenty-five (25) years at the time of his election,  
 14 has been a citizen of the United States at least seven (7) years and shall re-  
 15 side within the state at the time of his election.

16 (3) Each candidate shall file his declaration of candidacy with the  
 17 secretary of state.

18 (4) Each candidate who files a declaration of candidacy shall at the  
 19 same time pay a filing fee of ~~three hundred dollars (\$300)~~ five hundred dol-  
 20 lars (\$500), which shall be deposited in the general fund.

21 SECTION 3. That Section 34-608, Idaho Code, be, and the same is hereby  
 22 amended to read as follows:

23 34-608. ELECTION OF LIEUTENANT GOVERNOR -- QUALIFICATIONS. (1) At the  
 24 general election, 1974, and every four (4) years thereafter, there shall be  
 25 elected a lieutenant governor.

26 (2) No person shall be elected to the office of lieutenant governor un-  
 27 less he shall have attained the age of thirty (30) years at the time of his  
 28 election, is a citizen of the United States and shall have resided within the  
 29 state two (2) years next preceding his election.

30 (3) Each candidate shall file his declaration of candidacy with the  
 31 secretary of state.

32 (4) Each candidate who files a declaration of candidacy shall at the  
 33 same time pay a filing fee of ~~two hundred dollars (\$200)~~ one thousand dollars  
 34 (\$1,000), which shall be deposited in the general fund.

35 SECTION 4. That Section 34-609, Idaho Code, be, and the same is hereby  
 36 amended to read as follows:

37 34-609. ELECTION OF SECRETARY OF STATE -- QUALIFICATIONS. (1) At the  
 38 general election, 1974, and every four (4) years thereafter, a secretary of  
 39 state shall be elected.

40 (2) No person shall be elected to the office of secretary of state un-  
 41 less he shall have attained the age of twenty-five (25) years at the time of  
 42 his election, is a citizen of the United States and shall have resided within  
 43 the state two (2) years next preceding his election.

44 (3) Each candidate shall file his declaration of candidacy with the  
 45 secretary of state.

1           (4) Each candidate who files a declaration of candidacy shall at the  
2 same time pay a filing fee of ~~two hundred dollars (\$200)~~ one thousand dollars  
3 (\$1,000), which shall be deposited in the general fund.

4           SECTION 5. That Section 34-610, Idaho Code, be, and the same is hereby  
5 amended to read as follows:

6           34-610. ELECTION OF STATE CONTROLLER -- QUALIFICATIONS. (1) At the  
7 general election, 1974, and every four (4) years thereafter, a state con-  
8 troller shall be elected.

9           (2) No person shall be elected to the office of state controller unless  
10 he shall have attained the age of twenty-five (25) years at the time of his  
11 election, is a citizen of the United States and shall have resided within the  
12 state two (2) years next preceding his election.

13           (3) Each candidate shall file his declaration of candidacy with the  
14 secretary of state.

15           (4) Each candidate who files a declaration of candidacy shall at the  
16 same time pay a filing fee of ~~two hundred dollars (\$200)~~ one thousand dollars  
17 (\$1,000), which shall be deposited in the general fund.

18           SECTION 6. That Section 34-611, Idaho Code, be, and the same is hereby  
19 amended to read as follows:

20           34-611. ELECTION OF STATE TREASURER -- QUALIFICATIONS. (1) At the gen-  
21 eral election, 1974, and every four (4) years thereafter, a state treasurer  
22 shall be elected.

23           (2) No person shall be elected to the office of state treasurer unless  
24 he shall have attained the age of twenty-five (25) years at the time of his  
25 election, is a citizen of the United States and shall have resided within the  
26 state two (2) years next preceding his election.

27           (3) Each candidate shall file his declaration of candidacy with the  
28 secretary of state.

29           (4) Each candidate who files a declaration of candidacy shall at the  
30 same time pay a filing fee of ~~two hundred dollars (\$200)~~ one thousand dollars  
31 (\$1,000), which shall be deposited in the general fund.

32           SECTION 7. That Section 34-612, Idaho Code, be, and the same is hereby  
33 amended to read as follows:

34           34-612. ELECTION OF ATTORNEY GENERAL -- QUALIFICATIONS. (1) At the  
35 general election, 1974, and every four (4) years thereafter, an attorney  
36 general shall be elected.

37           (2) No person shall be elected to the office of attorney general unless  
38 he shall have attained the age of thirty (30) years at the time of his elec-  
39 tion, is admitted to the practice of law within the state, is a citizen of the  
40 United States and shall have resided within the state two (2) years next pre-  
41 ceding his election.

42           (3) Each candidate shall file his declaration of candidacy with the  
43 secretary of state.

1           (4) Each candidate who files a declaration of candidacy shall at the  
2 same time pay a filing fee of ~~two hundred dollars (\$200)~~ one thousand dollars  
3 (\$1,000), which shall be deposited in the general fund.

4           SECTION 8. That Section 34-613, Idaho Code, be, and the same is hereby  
5 amended to read as follows:

6           34-613. ELECTION OF SUPERINTENDENT OF PUBLIC INSTRUCTION -- QUALIFI-  
7 CATIONS. (1) At the general election, 1974, and every four (4) years there-  
8 after, a superintendent of public instruction shall be elected.

9           (2) No person shall be elected to the office of superintendent of pub-  
10 lic instruction unless he shall have attained the age of twenty-five (25)  
11 years at the time of his election, is a citizen of the United States, has a  
12 bachelor's degree from an accredited college or university, and shall have  
13 resided within the state two (2) years next preceding his election.

14           (3) Each candidate shall file his declaration of candidacy with the  
15 secretary of state.

16           (4) Each candidate who files a declaration of candidacy shall at the  
17 same time pay a filing fee of ~~two hundred dollars (\$200)~~ one thousand dollars  
18 (\$1,000), which shall be deposited in the general fund.

19           SECTION 9. That Section 34-614, Idaho Code, be, and the same is hereby  
20 amended to read as follows:

21           34-614. ELECTION OF STATE REPRESENTATIVES AND SENATORS -- QUALIFICA-  
22 TIONS. (1) At the general election, 1972, and every alternate year there-  
23 after, there shall be elected in each legislative district such representa-  
24 tives and senators as they may be severally entitled.

25           (2) No person shall be elected to the office of representative or sena-  
26 tor unless he shall have attained the age of twenty-one (21) years at the time  
27 of the general election, is a citizen of the United States and shall have been  
28 a registered elector within the legislative district one (1) year next pre-  
29 ceding the general election at which he offers his candidacy.

30           (3) Each candidate shall file his declaration of candidacy with the  
31 secretary of state.

32           (4) Each candidate who files a declaration of candidacy shall at the  
33 same time pay a filing fee of ~~thirty dollars (\$30.00)~~ two hundred fifty dol-  
34 lars (\$250), which shall be deposited in the general fund.

35           SECTION 10. That Section 34-615, Idaho Code, be, and the same is hereby  
36 amended to read as follows:

37           34-615. ELECTION -- SELECTION -- OF JUSTICES OF THE SUPREME COURT --  
38 QUALIFICATIONS. (1) At the primary election, 1972, and every alternate year  
39 thereafter, subject to the provisions of section 34-1217, Idaho Code, there  
40 shall be elected justices of the supreme court to fill any vacancy or vacan-  
41 cies occasioned by the expiration of the term or terms of office of any member  
42 or members.

43           (2) To be elected or appointed to the office of justice of the supreme  
44 court a person must, at the time of such election or appointment, meet all of  
45 the following qualifications:

- 1 (a) Be at least thirty (30) years of age;
- 2 (b) Be a citizen of the United States and an elector of the state of
- 3 Idaho;
- 4 (c) Have been a legal resident of the state of Idaho for at least two (2)
- 5 continuous years immediately preceding such election or appointment;
- 6 (d) Have been in good standing as an active or judicial member of the
- 7 Idaho state bar for at least two (2) continuous years immediately pre-
- 8 ceding such election or appointment; and
- 9 (e) Have held a license to practice law or held a judicial office in one
- 10 (1) or more jurisdictions for at least ten (10) continuous years immedi-
- 11 ately preceding such election or appointment.

12 For purposes of this section, the following terms have the following  
13 meanings:

- 14 (a) "Active," "judicial" and "good standing" have the same definitions
- 15 as those terms are given by rule 301 of the Idaho bar commission rules or
- 16 any successors to those rules;
- 17 (b) "Jurisdiction" means a state or territory of the United States, the
- 18 District of Columbia or any branch of the United States military; and
- 19 (c) "Elector" means one who is lawfully registered to vote.
- 20 (3) Each candidate for election shall file a declaration of candidacy
- 21 with the secretary of state.
- 22 (4) Each candidate who files a declaration of candidacy shall at the
- 23 same time pay a filing fee of ~~three hundred dollars (\$300)~~ one thousand dol-
- 24 lars (\$1,000), which shall be deposited in the general fund.

25 SECTION 11. That Section 34-616, Idaho Code, be, and the same is hereby  
26 amended to read as follows:

27 34-616. ELECTION -- SELECTION -- OF DISTRICT JUDGES -- QUALIFICA-  
28 TIONS. (1) At the primary election, 1974, and every four (4) years there-  
29 after, subject to the provisions of section 34-1217, Idaho Code, there shall  
30 be elected in each judicial district a sufficient number of district judges  
31 to fill any vacancy or vacancies occasioned by the expiration of the term or  
32 terms of office of any member or members.

33 (2) To be elected to the office of district judge a person must, at the  
34 time of such election, meet all of the following qualifications:

- 35 (a) Be at least thirty (30) years of age;
- 36 (b) Be a citizen of the United States and an elector in the judicial dis-
- 37 trict in which elected;
- 38 (c) Have been a legal resident of the state of Idaho for at least two (2)
- 39 continuous years immediately preceding such election;
- 40 (d) Have been in good standing as an active or judicial member of the
- 41 Idaho state bar for at least two (2) continuous years immediately pre-
- 42 ceding such election; and
- 43 (e) Have held a license to practice law or held a judicial office in one
- 44 (1) or more jurisdictions for at least ten (10) continuous years immedi-
- 45 ately preceding such election.
- 46 (3) Each candidate for election shall file a declaration of candidacy
- 47 with the secretary of state.

1 (4) Each candidate who files a declaration of candidacy shall at the  
 2 same time pay a filing fee of ~~one hundred fifty dollars (\$150)~~ two hundred  
 3 fifty dollars (\$250), which shall be deposited in the general fund.

4 (5) To be appointed to the office of district judge, a person must, at  
 5 the time of such appointment, meet all of the following qualifications:

6 (a) Be at least thirty (30) years of age;

7 (b) Be a citizen of the United States and an elector of the state of  
 8 Idaho;

9 (c) Have been a legal resident of the state of Idaho for at least two (2)  
 10 continuous years immediately preceding such appointment;

11 (d) Have been in good standing as an active or judicial member of the  
 12 Idaho state bar for at least two (2) continuous years immediately pre-  
 13 ceding such appointment; and

14 (e) Have held a license to practice law or held a judicial office in one  
 15 (1) or more jurisdictions for at least ten (10) continuous years immedi-  
 16 ately preceding such appointment.

17 (6) For purposes of this section, the following terms have the follow-  
 18 ing meanings:

19 (a) "Active," "judicial" and "good standing" have the same definitions  
 20 as those terms are given by rule 301 of the Idaho bar commission rules or  
 21 any successors to those rules;

22 (b) "Jurisdiction" means a state or territory of the United States, the  
 23 District of Columbia or any branch of the United States military; and

24 (c) "Elector" means one who is lawfully registered to vote.

25 SECTION 12. That Section 34-617, Idaho Code, be, and the same is hereby  
 26 amended to read as follows:

27 34-617. ELECTION OF COUNTY COMMISSIONERS -- QUALIFICATIONS. (1) A  
 28 board of county commissioners shall be elected in each county at the general  
 29 elections as provided by section 31-703, Idaho Code.

30 (2) No person shall be elected to the board of county commissioners un-  
 31 less he has attained the age of twenty-one (21) years at the time of the elec-  
 32 tion, is a citizen of the United States, and shall have resided in the county  
 33 one (1) year next preceding his election and in the district which he repre-  
 34 sents for a period of ninety (90) days next preceding the primary election.

35 (3) Each candidate shall file his declaration of candidacy with the  
 36 county clerk.

37 (4) Each candidate who files a declaration of candidacy shall at the  
 38 same time pay a filing fee of ~~forty dollars (\$40.00)~~ one hundred dollars  
 39 (\$100), which shall be deposited in the county treasury.

40 SECTION 13. That Section 34-618, Idaho Code, be, and the same is hereby  
 41 amended to read as follows:

42 34-618. ELECTION OF COUNTY SHERIFFS -- QUALIFICATIONS. (1) At the gen-  
 43 eral election, 1972, and every four (4) years thereafter, a sheriff shall be  
 44 elected in every county.

45 (2) No person shall be elected to the office of sheriff unless he has  
 46 attained the age of twenty-one (21) years at the time of election, is a citi-

zen of the United States and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of ~~forty dollars (\$40.00)~~ one hundred dollars (\$100), which shall be deposited in the county treasury.

(5) Each person who has been elected to the office of sheriff for the first time shall complete a tutorial concerning current Idaho law and rules as prescribed by the Idaho peace ~~officers~~ officer standards and training ~~academy~~ council, unless the person is already certified as a chief of police, peace officer or detention deputy in the state of Idaho, and shall attend the newly elected sheriffs' school sponsored by the Idaho sheriffs' association.

SECTION 14. That Section 34-619, Idaho Code, be, and the same is hereby amended to read as follows:

34-619. ELECTION OF CLERKS OF DISTRICT COURTS -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a clerk of the district court shall be elected in every county. The clerk of the district court shall be the ex officio auditor and recorder.

(2) No person shall be elected to the office of clerk of the district court unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States, and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of ~~forty dollars (\$40.00)~~ one hundred dollars (\$100), which shall be deposited in the county treasury.

SECTION 15. That Section 34-620, Idaho Code, be, and the same is hereby amended to read as follows:

34-620. ELECTION OF COUNTY TREASURERS -- QUALIFICATIONS. (1) At the general election, 1974, and every four (4) years thereafter, a county treasurer shall be elected in every county. The county treasurer shall be the ex officio public administrator and ex officio tax collector.

(2) No person shall be elected to the office of county treasurer unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.

(3) Each candidate shall file his declaration of candidacy with the county clerk.

(4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of ~~forty dollars (\$40.00)~~ one hundred dollars (\$100), which shall be deposited in the county treasury.

SECTION 16. That Section 34-621, Idaho Code, be, and the same is hereby amended to read as follows:

1        34-621. ELECTION OF COUNTY ASSESSORS -- QUALIFICATIONS. (1) At the  
2 general election, 1974, and every four (4) years thereafter, a county asses-  
3 sor shall be elected in every county.

4        (2) No person shall be elected to the office of county assessor unless  
5 he has attained the age of twenty-one (21) years at the time of his election,  
6 is a citizen of the United States and shall have resided within the county one  
7 (1) year next preceding his election.

8        (3) Each candidate shall file his declaration of candidacy with the  
9 county clerk.

10       (4) Each candidate who files a declaration of candidacy shall at the  
11 same time pay a filing fee of ~~forty dollars (\$40.00)~~ one hundred dollars  
12 (\$100), which shall be deposited in the county treasury.

13       SECTION 17. That Section 34-622, Idaho Code, be, and the same is hereby  
14 amended to read as follows:

15       34-622. ELECTION OF COUNTY CORONERS -- QUALIFICATIONS. (1) At the gen-  
16 eral election, 1986, and every four (4) years thereafter, a coroner shall be  
17 elected in every county.

18       (2) No person shall be elected to the office of coroner unless he has  
19 attained the age of twenty-one (21) years at the time of his election, is a  
20 citizen of the United States and shall have resided within the county one (1)  
21 year next preceding his election.

22       (3) Each candidate shall file his declaration of candidacy with the  
23 county clerk.

24       (4) Each candidate who files a declaration of candidacy shall at the  
25 same time pay a filing fee of ~~forty dollars (\$40.00)~~ one hundred dollars  
26 (\$100), which shall be deposited in the county treasury.

27       (5) All newly elected or appointed county coroners shall attend a coro-  
28 ner's school within one (1) year of taking office. Such school shall be spon-  
29 sored or endorsed by the Idaho state association of county coroners.

30       SECTION 18. That Section 34-623, Idaho Code, be, and the same is hereby  
31 amended to read as follows:

32       34-623. ELECTION OF COUNTY PROSECUTING ATTORNEYS -- QUALIFICA-  
33 TIONS. (1) At the general election, 1984, and every four (4) years there-  
34 after, a prosecuting attorney shall be elected in every county.

35       (2) No person shall be elected to the office of prosecuting attorney un-  
36 less he has attained the age of twenty-one (21) years at the time of his elec-  
37 tion, is admitted to the practice of law within this state, is a citizen of  
38 the United States and a qualified elector within the county.

39       (3) Each candidate shall file his declaration of candidacy with the  
40 county clerk.

41       (4) Each candidate who files a declaration of candidacy shall at the  
42 same time pay a filing fee of ~~forty dollars (\$40.00)~~ one hundred dollars  
43 (\$100), which shall be deposited in the county treasury.

44       SECTION 19. An emergency existing therefor, which emergency is hereby  
45 declared to exist, this act shall be in full force and effect on and after  
46 July 1, 2025.