

**I-866-OUR-VOTE
(1-866-687-8683)**

Disclaimer:

This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision making.

VOTER REGISTRATION FORMS

1) How can I register to vote?

You can register in person at your local county clerk's office. You can also register through the mail by downloading the Idaho state registration form, filling it out, and sending it to your local county election office. The form is available at http://www.idahovotes.gov/VoterReg/vtr_reg_form.pdf. You may also obtain registration forms through any political party. Idaho Code Ann. § 34-406.

If you are unable to appear at the county clerk's office, you can also write to the county clerk and request that someone be sent to your home to register you. § 34-407.

2) Can I register using the National Voter Registration Form?

Yes. The form can be downloaded at <http://www.eac.gov/nvra>.

3) Are there restrictions regarding the use of my voter registration information?

Yes. Any person may get a list of registered voters in any county, but the information contained therein may not be used to mail advertisements for any property, establishment, organization, product, or service. It may also not be used to solicit money, services, or anything of value. Note that this restriction does not include anything done for political purposes. § 34-437.

COMPLETING VOTER REGISTRATION FORMS

4) Who is qualified to vote in Idaho?

You must (1) be a citizen of the United States, (2) be eighteen years old, and (3) have lived in the county in Idaho in which you plan to vote for at least thirty days before Election Day. § 34-402.

5) Do I have to be 18 before I can register to vote?

No. You may register to vote before you turn 18 if you will turn 18 on or before the day of the next statewide general election. § 34-408.

6) Is there a minimum amount of time I must have lived in Idaho before I can vote in Idaho?

Yes. You must live in the county of Idaho that you want to vote in for at least 30 days before Election Day. § 34-402.

7) Does it matter that I have been convicted of a felony?



Yes. If you have been convicted of a felony and have not yet had your voting rights restored (in Idaho voting rights are automatically restored on completion of full sentence including probation and/or parole), or, at the time of the election, you are confined in prison on conviction of a criminal offense, you are not eligible to register to vote. § 34-403; Idaho Const. art. 6, §§ 2, 3.

8) What information am I required to include on a voter registration form?

You must include the following information:

- Full name,
- Sex,
- Mailing address,
- How long you have lived in Idaho,
- Whether you are a U.S. citizen,
- That you are not legally disqualified from voting,
- County and state of previous registration,
- Date of birth, and
- Current driver's license number or the last 4 digits of your social security number if you do not have an Idaho driver's license.

You may also provide your telephone number but it will be available to the public if you include it on your voter registration form. § 34-411.

9) What happens if a form is incomplete or illegible?

If a county clerk receives a deficient form and can contact the person who submitted the application, he or she will do so.

10) What if my voter registration is denied?

You may apply to the county clerk to challenge the denial. The county clerk must give you a hearing within 10 days of your application and will notify you of the time and place of your hearing. You will be allowed to present evidence on your qualifications and will be immediately registered to vote if you are found eligible. § 34-412.

11) I have changed my name since I originally registered. Can I still vote using my old registration?

No. You must re-register to vote under your new name. Because Idaho allows Election Day registration, however, you may do this on Election Day. See Question 22.

12) I have moved since I registered to vote. Can I still vote using my old registration?

Yes. If you move to another county within Idaho, or to another state within 30 days prior to an election, you will be allowed to vote by absentee ballot. § 34-413.

13) If I am in Idaho because of work or because I am a student, can I vote in Idaho?

Yes, but only if you consider yourself a resident of Idaho. No person gains residency for voting purposes by being present in Idaho. § 34-405. If you maintain your primary home in Idaho and intend to return to it after being away from it, you may have residency in Idaho. § 34-107. For further explanation of what it means to be a resident of Idaho see http://www.idahovotes.gov/VoterReg/Students_Voting%20Residency.htm.

14) If I leave Idaho because of work or because I am a student, can I still vote in Idaho?

Yes, but only if you still consider yourself to be a resident of Idaho. Just as no person gains residency for voting purposes by being present in Idaho, no person loses residency for voting purposes by being absent from Idaho. § 34-405. If you leave the state, but maintain your primary home in Idaho and plan to return to Idaho, you have not lost the right to vote in Idaho. You cannot, however, have registered to vote in any other state during your absence. § 34-405.

15) I am registered to vote but I have not voted in a primary or general election in the past 4 years. Is my registration still good?

Idaho law requires the county clerk to cancel the registration of any voter who did not vote in any primary or general election in the past 4 years. You should check with your county clerk and may have to re-register. § 34-435. However, your registration cannot be cancelled while serving in the military. § 34-420.

16) Do I have to show ID at any point in the voter registration or voting process?

Yes. As required by the Help America Vote Act of 2002 (42 U.S.C.S. § 15301 et seq.) a copy of proper identification is required prior to the issuance of a ballot to anyone who has registered by mail and has not previously voted in an election for federal office in the state. § 34-410. Election Day Registration also requires proof of residence. See § 34-408 A. . A newly enacted law, § 34-1113, requires personal identification for all voters in order to vote, if a voters does not have identification they may submit an affidavit at the polling place, which includes their name and address, in order to vote.

17) What forms of identification are acceptable to register to vote and to vote on Election Day?

Register to Vote:

Acceptable forms of identification include the following:

- A current and valid photo ID,
- A current utility bill,
- Bank statement,
- Government check,
- Paycheck, or
- Other government documents that show your name and address. § 34-410.

Vote on Election Day

Acceptable forms of identification include the following:

- A current and valid photo ID,
- A passport or an identification card, including a photograph, issued by an agency of the United States government;
- A tribal identification card, including a photograph; or
- A current student identification card, including a photograph, issued by a high school or an accredited institution of higher education, including a university, college or technical school, located within the state of Idaho

REGISTERING OTHERS TO VOTE

18) Can I help people register to vote?

Yes. Any person wishing to conduct a voter registration drive may obtain a supply of application forms and distribute them. The Idaho Secretary of State discourages people from collecting completed

registration forms, and encourages persons distributing such forms to have new voters mail the forms directly to the Secretary of State or local county election office.

19) Is training required for voter registration drives?

No.

20) Are volunteers or staff of voter registration drives required to be county or state residents?

No.

REGISTRATION DEADLINES

21) What is the deadline to register to vote?

Eligible voters may register to vote in-person on Election Day. § 34-408A. See Question 22.

The deadline to register at an agency is 24 days prior to the election. § 34-408. For the 2010 general election, Friday, October 8, 2010 (25 days prior to the election) is the deadline. If you register by mail, your registration must be postmarked no later than Friday, October 8, 2010. § 34-410. Note that if you will complete your residency requirement or turn 18 during the 24 day period before an election, you may register before October 8, 2010. § 34-408.

Remember that if you register by mail, you must show proper identification at the polls on Election Day before you will be allowed to vote. Acceptable forms of identification include the following:

- A current and valid photo ID,
- A current utility bill,
- Bank statement,
- Government check,
- Paycheck, or
- Other government documents that show your name and address. § 34-410.

22) Is Election Day registration allowed?

Yes. If you are otherwise eligible to vote you may register on Election Day by:

- Going to the polling place in the precinct in which you live,
- Completing a registration card,
- Making an oath prescribed by the Secretary of State, and
- Providing a proof of residence. § 34-408A.

Proper proof of residence includes the following:

- An Idaho driver's license or Idaho identification card issued by the Department of Transportation,
- A document that contains a valid address in the precinct in which you live and a picture identification card, or
- A valid student identification card from a post-secondary educational institution in Idaho with a student fee statement that contains the student's valid address in the precinct together with a picture identification card. § 34-408A.

23) Does Idaho law allow for absentee voting or early voting?

Yes. Anyone registered to vote may vote by absentee ballot either by mail or in person. If you would like an absentee ballot mailed to you, the application is available at <http://www.idahovotes.gov/VoterReg/absentee.pdf>. Your personally signed application must be received by the County Clerk no later than 5:00 p.m. at least 6 days before Election Day. After the County Clerk's office receives your request and checks your registration, an absentee ballot will be mailed to you. § 34-1001-03. The ballot must be received by the election officer who issued it to you by 8:00 p.m. on Election Day before it may be counted. § 34-1005.

You may also cast an absentee ballot in-person at the absent elector's polling place. An application for an in-person absentee ballot must be received by the County Clerk no later than 5:00 p.m. on the day before Election Day. § 34-1002.

VOTER REGISTRATION LEGISLATION

24) Is there any pending legislation impacting voter registration?

We are unaware of any pending legislation affecting voter registration.

25) Are there any helpful elections official contacts?

For more information, contact the Idaho Secretary of State at:

Idaho Secretary of State's Office
Attn: Election Division
P.O. Box 83720
Boise, ID 83720-0080
(208) 334-2852

26) Are there helpful web resources I should know about?

The Idaho Secretary of State has a website dedicated to providing information on the voter registration process: <http://www.idahovotes.gov/>. This site includes resources such as frequently asked questions, absentee ballots, and special provisions for military officers.

The National Campaign for Fair Elections is also a useful resource: <http://www.866ourvote.org/state?id=0012>

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