

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 694

BY STATE AFFAIRS COMMITTEE

AN ACT

1  
2 RELATING TO ELECTION REGISTERS; AMENDING SECTION 34-433, IDAHO CODE, TO RE-  
3 VISE PROVISIONS REGARDING THE MONTHLY CORRECTION OF ELECTION REGISTERS  
4 FROM REPORTED DEATHS; AMENDING SECTION 39-270, IDAHO CODE, TO REVISE  
5 PROVISIONS REGARDING THE DISCLOSURE OF INFORMATION; AND DECLARING AN  
6 EMERGENCY.

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

8 SECTION 1. That Section 34-433, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 34-433. MONTHLY CORRECTION OF ELECTION REGISTER FROM REPORTED  
11 DEATHS. (1) The state board of health and welfare shall, on or about the 25<sup>th</sup>  
12 twenty-fifth day of each month, furnish to the secretary of state a listing  
13 showing the name, age date of birth, county of residence and residence ad-  
14 dress of each Idaho resident who has died during the preceding month. The  
15 secretary of state shall sort this list by county and furnish a copy of same  
16 to each county clerk. Each county clerk shall immediately cancel all regis-  
17 trations of individuals reported as deceased by the state board of health and  
18 welfare in the board's report to the secretary of state.

19 (2) A version of the list provided to the secretary of state by the state  
20 board of health and welfare pursuant to subsection (1) of this section may be  
21 requested from the board as a public record, provided that the publicly re-  
22 questable list shall include each decedent's name, county of residence, res-  
23 idence address, and age at the time the publicly available list is created,  
24 but shall not include any decedent's date of birth or any other information.

25 SECTION 2. That Section 39-270, Idaho Code, be, and the same is hereby  
26 amended to read as follows:

27 39-270. DISCLOSURE OF INFORMATION. (a) Certificates and records in  
28 the custody of the state registrar shall be open to inspection subject to  
29 the provisions of this chapter and the rules of the board, the provisions of  
30 section 74-102, Idaho Code, to the contrary notwithstanding; and it shall  
31 be unlawful for any state or local official or employee under this chapter  
32 to disclose any data contained in the records, except as authorized by this  
33 chapter and the rules of the board.

34 (b) A complete copy, or any part of a certificate, may be issued to any  
35 applicant who can show direct and tangible interest in the record for which  
36 he applies. A complete copy, or any part of a certificate, shall be issued  
37 upon request or at the direction of the state registrar to a state, federal  
38 or local public agency for child protection and child support enforcement  
39 purposes or for the purpose of investigation of fraud. Subject to such pro-  
40 visions as the board may prescribe, data contained on records may be used

1 by federal, state or municipal agencies for the purpose of verification of  
2 data.

3 (c) As provided in chapter 1, title 74, Idaho Code, data contained on  
4 records may be used for research, public health or statistical purposes. No  
5 lists of registration shall be compiled for public use, except as provided in  
6 section 34-433(2), Idaho Code.

7 (d) The manner of keeping local records and the use thereof shall be  
8 prescribed by the board, in keeping with the provisions of this section.

9 (e) When one hundred (100) years have elapsed after the date of birth,  
10 or fifty (50) years have elapsed after the date of death, stillbirth, mar-  
11 riage or divorce, the records of these events in the custody of the state reg-  
12 istrar shall become public records and information shall be made available  
13 in accordance with chapter 1, title 74, Idaho Code.

14 SECTION 3. An emergency existing therefor, which emergency is hereby  
15 declared to exist, this act shall be in full force and effect on and after its  
16 passage and approval.