



STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE
LAWRENCE DENNEY

April 24, 2018

Phil Hart
P.O. Box 540
Kellogg, ID 83837

Mr. Hart:

Article III, section 6 of the Idaho Constitution lays out the qualifications of an individual to serve as a member of the Idaho Legislature. It says:

“No person shall be a senator or representative who, at the time of his election, is not a citizen of the United States, and an elector of this state, nor anyone who has not been for one year next preceding his election an elector of the county or district whence he may be chosen.”

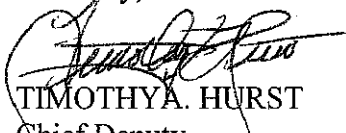
The Constitution, in Article VI Section 2, also defines an elector. Again, it says:

“Every male or female citizen of the United States, eighteen years old, who has resided in this state, and in the county ere [where] he or she offers to vote for the period of time provided by law, if registered as provided by law, is a qualified elector.”

According to the voter registration records of the State, you would not meet the qualifications to be an Idaho Legislator this year. Your name, therefore, should not appear on the primary election ballot, but since they have already been printed, your name will be marked out and no votes will be counted. Enclosed is a letter from the Attorney General issued in 1998 addressing this issue. Your petitions are being returned as of this date.

If you disagree with this decision, Idaho Code section 34-215 provides that you may appeal to the District Court for remedy.

Sincerely,


TIMOTHYA. HURST
Chief Deputy
Secretary of State

TAH/lm
Enclosure: As cited