

Elections FAQ

How do candidates for mayor or council get their name on the ballot?

To get their name on the ballot, a candidate must submit a Declaration of Candidacy specifying the office for which they are running and affirming they meet the legal qualifications to run as of the date their Declaration of Candidacy is submitted to the city clerk (Idaho Code 50-406; 50-407). The Declaration of Candidacy must be accompanied by one of the following:

- A Petition of Candidacy signed by at least five qualified city electors with an attached certification from the county clerk indicating the number of signatures that are of qualified city electors,

OR

- A nonrefundable filing fee of \$40.

The timeframe for candidates to submit Declarations of Candidacy to the city clerk starts at 8:00 a.m. on the eleventh Monday before Election Day and ends at 5:00 p.m. on the ninth Friday before Election Day (Idaho Code 50-410).

What are the qualifications under Idaho law for a mayor or councilor?

The person must meet the following requirements:

- At least 18 years of age,
- A U.S. citizen,
- The candidate's primary residence must be within the city,
- The address of the candidate's voter registration must match the residence address provided on the candidate's declaration, and
- A registered voter within the city at the time the declaration is filed (Idaho Code 50-402; 50-407; 50-601; 50-702).

Can bars sell liquor by the drink on Election Day? Can liquor stores be open on Election Day?

Bars can sell liquor by the drink during city elections ***unless the city has an ordinance prohibiting the sale of liquor by the drink during city elections*** (Idaho Code 23-927).

How many dates are there for local elections each year?

Under the election consolidation law, there are two election dates per year:

- The third Tuesday in May each year, and
- The Tuesday following the first Monday in November each year.

When are mayors and city councilors elected?

The general city election for mayors and councilors is held on the Tuesday following the first Monday in November of odd-numbered years.

When can city bond, levy, initiative, and referendum elections be held?

City elections on bonds and levies may be held on the May or November dates ***in any year***. Elections for initiatives or referenda must be held at the general city election in November of odd-numbered years.

Are there any additional dates for recall elections?

The law provides two dates in addition to the May and November dates for recall elections: the second Tuesday in March and the last Tuesday in August (Idaho Code 34-106; 50-402; 50-405).

Is the city clerk responsible for publishing any legal notices associated with city candidate elections?

The only legal notice the city clerk is required to publish is the notice to potential candidates which must be published once as a legal notice in the official city newspaper between 7 and 14 days prior to the candidate filing deadline. The notice must include: the name of the city, the date of the election, the offices up for election, that filing forms are available from the city clerk, and the filing deadline (Idaho Code 50-411).

Is there a deadline for candidates to withdraw from the election?

Nominated candidates (those listed on the ballot) have up to 46 days before Election Day to withdraw their candidacy by filing a notarized statement of withdrawal with the city clerk (Idaho Code 34-1405A).

Declared write-in candidates may withdraw at any time up to the election by filing a notarized statement of withdrawal with the city clerk.

How does a person become a write-in candidate for mayor or council?

Those who want to become write-in candidates for mayor or council must file a Declaration of Intent with the city clerk by the eighth Friday before Election Day (Idaho Code 34-702A; 50-410; 50-601; 50-702). The person must meet the following qualifications:

- At least 18 years of age,
- A U.S. citizen,
- The candidate's primary residence must be within the city,
- The address of the candidate's voter registration must match the residence address provided on the candidate's Declaration of Intent, and
- A registered voter within the city at the time the declaration is filed.

Who can vote in city elections?

To vote in city elections, a person's primary residence must be in the city. Those who reside in the area of impact are not allowed to vote in city elections. Those who own property in the city, but reside outside of the city, are also not allowed to vote in city elections (Idaho Code 50-402(c) & (d)).

Are candidates for mayor or council required to report their campaign contributions and expenditures? Are campaign contributions limited to a specific dollar amount?

Idaho's Sunshine Law, which requires reporting of campaign contributions and expenditures by candidates for state and local office applies to all candidates for mayor and council who raise or spend \$500 or more in an election cycle. The contribution limit for city candidates is \$1,000 per contributor (Idaho Code Title 67, Chapter 66).

<https://sos.idaho.gov/elections-division/campaign-finance-filing/>