

# **Bond Case Briefs**

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## **BALLOT INITIATIVES - IDAHO**

### **Idahoans for Open Primaries v. Labrador**

**Supreme Court of Idaho - August 16, 2023 - P.3d - 2023 WL 5274562**

Petitioners filed action requesting writs of certiorari and mandamus, asserting that the Idaho Attorney General's short and general ballot titles for the Idaho Open Primaries Act initiative measure failed to comply with statutory requirements.

The Supreme Court, Zahn, J., held that:

- Supreme Court would exercise its original jurisdiction to consider petitioners' requests for writ relief;
- Coalition had standing to bring action;
- As a matter of first impression, Supreme Court applies the substantial compliance standard when reviewing ballot titles;
- Term "nonparty blanket primary" did not describe the initiative as commonly referred to or spoken of;
- Term "ranked-choice voting" was distinctive and accurately described the vote tabulation method described in the initiative;
- Description of the tabulation process in general title was likely to prejudice the initiative; and
- Supreme Court would retain jurisdiction and order Attorney General to provide new ballot titles for review, rather than adopt petitioners' proposed ballot titles.