

SUMMARY STATEMENT

*Idahoans United for Women and Families v.
Phil McGrane, in his official capacity as Secretary of State of the State of Idaho;
and Raúl Labrador, in his official capacity as Attorney General of the State of Idaho*

Docket No. 54406

Proposition One is a citizen initiative that qualified for the November 3, 2026, general election ballot. Under state law, the Secretary of State and the Attorney General must jointly write a short statement that “clearly and concisely” explains the effect of voting “yes” or “no.” Idahoans United for Women and Families, the group that sponsored the initiative, challenged the statements, arguing they were confusing and inaccurate because they (1) failed to plainly describe what each vote would do and (2) inaccurately described both the effect of the initiative and existing Idaho law.

Idahoans United brought its challenge to the Idaho Supreme Court as a direct action, seeking relief in the form of writs of prohibition, mandamus, and certiorari. They asserted that they have standing to bring their action because the deadlines for printing ballots and mailing voter pamphlets were only days away and it would be impossible to get relief any other way. Idahoans United received the disputed statements on August 24, 2026, after the voter pamphlet had already gone to the printer, and filed suit three days later. The Court agreed to hear the matter on an expedited basis, with accelerated briefing and oral argument, and issued its decision quickly given the approaching election deadlines.

The Idaho Supreme Court held that the official ballot statements telling voters what a “yes” or “no” vote means on Proposition One—the Reproductive Freedom and Privacy Act—do not meet the requirements of Idaho law. The Court concluded that neither the “yes” statement nor the “no” statement complied with the law. It explained that officials may describe what a measure does, but they must do so accurately and clearly: “A statement is not ‘clear’ if it leaves voters uninformed about a principal legal consequence of their choice, and it does not describe ‘the effect’ of a vote if it materially misstates that consequence.” The Court found that the “yes” statement left out core parts of the initiative. It also found that the “no” statement inaccurately described current abortion law, noting for example that the statement said existing law allows abortion “when necessary to *protect the life* of the mother,” while the actual statute permits it only to “*prevent the death* of the pregnant woman.” I.C. § 18-622(2)(a) (emphasis added).

The Supreme Court ruled that Respondents are prohibited from using the challenged statements on the November 3, 2026, general election ballot and ordered the Secretary of State and Attorney General to prepare revised statements by 5:00 p.m. on September 5, 2026. The Court retained jurisdiction of the case so that it may review the revised statement for compliance.

******This summary constitutes no part of the opinion of the Court,
but has been prepared by court staff for the convenience of the public.******