

SENATE FILE NO. SF0138

County commissioners-election to modify numbers.

Sponsored by: Senator(s) Burns and Meier and
Representative(s) Berger, Diercks, Gentile,
Ikel, Landon, Law, Martin and Ross

A BILL

for

1 AN ACT relating to county commissioners; allowing election
2 to increase or decrease commissioner membership; and
3 providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 18-3-501(b), (d), (f) and (g) is
8 amended to read:

9

10 **18-3-501. Composition; election for increasing the**
11 **number; term; quorum; election for districting; procedures.**

12

13 (b) Notwithstanding subsection (a) of this section,
14 any county may increase the membership of its board of
15 county commissioners from three (3) to five (5) members if
16 a proposition for the increase is submitted to a vote of

1 the qualified electors of the county and a majority of
2 those casting their ballots vote in favor of the increase.
3 Additional offices created under this subsection in odd-
4 numbered years shall be filled at the general election next
5 following the election at which the increase was approved.
6 Additional offices created under this subsection in even-
7 numbered years shall be filled at the general election to
8 be held in two (2) years and not at the current year
9 general election. At ~~that~~the general election, not more
10 than one (1) commissioner shall be elected for a term of
11 two (2) years, and the election ballots shall so state.
12 Each term shall otherwise be four (4) years.

13
14 (d) The proposition may be submitted at any general
15 election or at an election date authorized under W.S.
16 22-21-103. A notice of election shall be given in at least
17 one (1) newspaper of general circulation published in the
18 county wherein the election is to be held and shall specify
19 the object of the election. The notice shall be published
20 at least once each week for a thirty (30) day period
21 preceding the election. At the election the ballots shall
22 contain the words "for increasing the membership of the
23 board of county commissioners from three (3) to five (5)
24 members", and "against increasing the membership of the

1 board of county commissioners from three (3) to five (5)
2 members".

3

4 (f) Any county may decrease the membership of its
5 board of county commissioners from five (5) to three (3)
6 members in the same manner as an increase under subsections
7 (b) and (c) of this section. The vote to decrease
8 membership shall be in the general election or at an
9 election date authorized under W.S. 22-21-103 preceding the
10 election of three (3) commissioners. Notice of the election
11 shall be given as provided in subsection (d) of this
12 section.

13

14 (g) Any county in which the electors vote to increase
15 the number of county commissioners from three (3) to five
16 (5) as provided by this section may be divided into five
17 (5) districts if a proposition for districting is submitted
18 to a vote of the qualified electorate of the county and a
19 majority of those casting their ballots vote in favor of
20 the districting. The proposition for districting shall be
21 submitted to a vote in the manner provided by subsections
22 (c) and (d) of this section. At the election, the ballot
23 shall contain the words "for dividing the county into five
24 (5) county commissioner election districts" and "against

1 dividing the county into five (5) county commissioner
2 election districts". The proposition to increase the
3 number of county commissioners and the proposition for
4 districting may appear on the ballot at the same general
5 election or at an election date authorized under W.S.
6 22-21-103, however the ballots shall state that the
7 proposition for districting is contingent upon approval of
8 the proposition to increase the number of commissioners.
9 The petition required by subsection (c) of this section may
10 contain both the proposition to increase the number of
11 commissioners and the proposition for districting, or the
12 propositions may be circulated and submitted on separate
13 petitions. If the proposition for districting is not
14 approved, the commissioners shall represent the county on
15 at-large basis.

16

17 **Section 2.** This act is effective immediately upon
18 completion of all acts necessary for a bill to become law
19 as provided by Article 4, Section 8 of the Wyoming
20 Constitution.

21

22

(END)