

ORIGINAL HOUSE
BILL NO. 0092

ENROLLED ACT NO. 23, HOUSE OF REPRESENTATIVES

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

AN ACT relating to elections; providing for ballot formats; providing for transmittal of ballot counts; providing for rules; providing for placement of write in candidates on ballots; providing for position of independent candidates on ballots; providing for student poll workers; and providing for an effective date.

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

Section 1. W.S. 22-5-216, 22-6-107, 22-6-118(a) (intro), 22-6-119(a) (iii), (iv) and (vi), 22-6-120(a) (xi), (xii) and (xv), 22-6-121(a), 22-6-123, 22-6-124, 22-8-106, 22-14-107 and 22-16-108 are amended to read:

22-5-216. Nomination of nonpartisan candidates.

Subject to additional requirements of this section, for each nonpartisan office the candidates equal in number to twice the number to be elected to the office, who receive the largest number of votes, shall be nominated and shall be entitled to have their names printed on the nonpartisan ballot for the next general election. ~~A write in candidate shall not be nominated and shall not be entitled to have his name printed on the ballot for the next general election unless he received at least three percent (3%) of the votes cast for that office.~~ An elector may vote for no more than the number of candidates to be elected for each nonpartisan office.

22-6-107. Time for possession of ballots and labels.

Official ballots and labels for primary and general elections shall be in the county clerk's possession forty (40) days before the election. If a clerk is unable to

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obtain ballots on time, the secretary of state shall provide by rule and regulation for the clerk to obtain and use substitute ballots.

22-6-118. Primary ballot colors.

(a) The primary ballot of political parties shall be printed on the following colored paper or on paper with the following color demarcation as provided by rule and regulation of the secretary of state:

22-6-119. Format of partisan primary ballot.

(a) The primary ballot of each major political party shall be printed in substantial compliance with this format:

(iii) On the second line shall be printed the following instructions: "To vote for a person whose name is printed on the ballot, mark the square immediately adjacent to ~~the right of~~ the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose and mark the square immediately adjacent to ~~the right of~~ the name of the person.";

(iv) Candidates for the different offices shall be arranged in separate groups. At the top of each group shall appear the title of the office. ~~On the same line and to the right~~ Adjacent to the title of the office shall be printed "Vote for one" or if more than one (1) are to be voted for, "Vote for not more than", then the appropriate words and figures designating the proper number to be elected;

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(vi) Adjacent to ~~the right of~~ the name of each candidate and blank line shall be printed a square for marking the vote. No square shall appear at the top of a column;

22-6-120. Format of partisan general election ballot.

(a) The general election partisan ballot shall be printed in substantial compliance with this format:

(xi) Adjacent to ~~the right of~~ the name of each candidate, except those running for the office of president and vice-president of the United States and their electors, and ~~after~~ adjacent to each blank line for write-in candidates, shall be printed a square for marking the vote. A single square shall be printed to indicate the vote for candidates for the office of president and vice-president of the United States. No square shall appear at the top of a column;

(xii) Adjacent to ~~the right of~~ the description of any office to be filled by more than one (1) candidate shall be printed "Vote For Not More Than", then the appropriate words and figures designating the proper number to be elected;

(xv) ~~Directly~~ Adjacent to ~~the right of~~ the final line of such statement shall be printed two (2) squares on the same line. Above the first square shall be printed the word "For" and above the second square shall be printed the word "Against";

22-6-121. Political party ballot position on general election ballot; order of candidates' names.

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(a) Political party position shall be determined on the general election ballot according to the number of votes received by each party within the county for the office of representative in congress at the last preceding general election. The party receiving the highest number of votes shall appear first following the names of the offices to be voted for and other parties shall follow in the order of their respective numbers of such votes. The order of any provisional parties will be drawn by the secretary of state. Any independent candidates shall appear following the last party and shall be listed in alphabetical order, subject to rotation. When more than one (1) candidate is to be elected to a particular office, the names of candidates shall be printed in alphabetical order, subject to rotation, on all ballots for electronic and machine voting systems as defined by W.S. 22-1-102.

22-6-123. Nonpartisan election ballots and ballot propositions.

Primary and general election ballots for nonpartisan offices and ballot propositions shall be printed on yellow paper or paper with yellow demarcation as provided by rule and regulation of the secretary of state, separate from partisan ballots. They shall contain no political party designations, but otherwise shall conform to the same general requirements for official partisan ballots except as otherwise specifically provided.

22-6-124. Ballot propositions format.

Following all offices on nonpartisan ballots, ballot propositions shall be printed in the order prescribed by law. The name and official number, if any, of each ballot proposition shall be printed ~~at the left margin adjacent to~~ the proposition in large letters. Nonpartisan ballots

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shall contain the same instructions as prescribed for partisan primary election ballots in W.S. 22-6-119. If the ballot contains a proposed constitutional amendment or other ballot proposition, the instructions shall also include the following: "To vote for or against a proposed constitutional amendment, initiative or referendum, or other ballot proposition, mark the square printed adjacent to ~~the right of~~ the proposition marked 'For' or 'Against'."

22-8-106. Number of judges in each precinct.

At least three (3) judges shall be appointed for each precinct. Additional judges may be appointed in a precinct as determined necessary by the county clerk. ~~No more than one (1) person under the age of eighteen (18) may be appointed as an election judge for each precinct.~~

22-14-107. Tabulation of count.

The unofficial tabulation indicating the vote by precinct shall immediately be transmitted by the county clerk to the secretary of state. These unofficial tabulations shall be tabulated by the secretary of the state. The secretary of state shall provide procedures for such transmittal through rule and regulation.

22-16-108. Results furnished secretary of state.

Immediately upon completion of the county canvass, the county clerk shall notify the secretary of state of the election results. A copy of the county abstract, after being certified by the county canvassing boards, shall immediately be delivered by the county clerk to the secretary of state. The secretary of state shall provide procedures for such transmittal and notification through rule and regulation.

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Section 2. This act is effective July 1, 2007.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk