

SENATE FILE NO. SF0046

Elections-notices and resolutions.

Sponsored by: Senator(s) Case and Representative(s)  
Zwonitzer

A BILL

for

1 AN ACT relating to elections; amending various time  
2 requirements for proclamations and other election notices;  
3 authorizing formation of special hospital districts by  
4 county commissioner resolution and election as specified;  
5 amending the time for special districts candidate  
6 application filings; amending content requirements for  
7 general election proclamations; and providing for an  
8 effective date.

9

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

11

12 **Section 1.** W.S. 22-2-109(b), 22-21-103, 22-21-104,  
13 22-29-109(f), 22-29-110(a) and (b) and 35-2-401 by creating  
14 a new subsection (e) are amended to read:

15

1           **22-2-109. County clerk to publish proclamation.**

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3           (b) Between ~~forty-five (45)~~ ninety (90) and  
4 ~~thirty-five (35)~~ seventy (70) days before each general  
5 election, the county clerk in each county shall publish at  
6 least once in a newspaper of general circulation in the  
7 county and post in the county clerk's office and at the  
8 place where each municipality within the county regularly  
9 holds its council meetings a proclamation setting forth the  
10 following:

11

12                   (i) The date of the election;

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14                   (ii) For any offices not previously included in  
15 the proclamation published pursuant to subsection (a) of  
16 this section, the offices to be filled at the election  
17 including the terms of the offices, ~~and~~ and the number of  
18 persons required by law to fill the offices;~~;~~

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20                   (iii) The requirements for filing statements of  
21 campaign contributions and expenditures; ~~and~~

22

1            (iv) Any other pertinent general election  
2 information; ~~In addition,~~

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4            (v) The legislative description of each proposed  
5 constitutional amendment, or other ballot proposition  
6 submitted to the voters of the state, a political  
7 subdivision thereof, county or other district. ~~shall be~~  
8 ~~included.~~

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10           **22-21-103. How bond question to be submitted to**  
11 **electors; contents.**

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13 Each bond question shall be submitted to a vote of the  
14 qualified electors of the political subdivision. Every bond  
15 election shall be held on the same day as a primary  
16 election or a general election, or on the Tuesday next  
17 following the first Monday in May or November, or on the  
18 Tuesday next following the third Monday in August. ~~If~~  
19 ~~calling the election in May~~ Not less than one hundred ten  
20 (110) days before a bond election, the ~~body~~ political  
21 subdivision shall ~~by March 1,~~ provide written notification  
22 to the county clerk, specifying the date of the election  
23 and the bond question. ~~If the political subdivision~~

1 ~~specifies the date of the election to be a primary or~~  
2 ~~general statewide or other August or November election,~~  
3 ~~then the political subdivision shall provide notice to the~~  
4 ~~county clerk not less than one hundred ten (110) days~~  
5 ~~before the election if for a primary or other August~~  
6 ~~election, and not less than seventy (70) days before the~~  
7 ~~election, if for a general or other November election.~~ The  
8 bond question shall state the purpose of the bonds, the  
9 maximum principal amount thereof, the maximum number of  
10 years allowed for the indebtedness and the maximum rate of  
11 interest to be paid thereon. The secretary of state may  
12 promulgate reasonable rules for conducting bond elections  
13 where the election is not held at the same time as the  
14 general or primary election.

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16 **22-21-104. Publication or posting of election notice;**  
17 **contents.**

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19 Between one hundred one (101) and ninety-one (91) days  
20 before a bond election held in conjunction with a primary  
21 or other August election and between ninety (90) and  
22 seventy (70) days before a bond election held in  
23 conjunction with a May, general or other November election,

1 the county clerk shall publish notice of the election at  
2 least once in a newspaper of general circulation in the  
3 political subdivision. ~~not less than thirty (30) nor more~~  
4 ~~than forty (40) days before the election.~~ If there is no  
5 newspaper of general circulation in the political  
6 subdivision, notice shall be posted at each polling place  
7 in the political subdivision ~~not less than thirty (30) nor~~  
8 ~~more than forty (40)~~ between ninety (90) and seventy (70)  
9 days before the election. Any notice of election hereunder  
10 shall specify the name of the political subdivision, the  
11 date, time and place of election, the question or questions  
12 to be submitted, and the fact that only qualified electors  
13 of the political subdivision may vote thereon. If a bond  
14 election is being held within a political subdivision at  
15 the same time and place as a regular or other election, the  
16 notice of bond election may, at the discretion of the  
17 county clerk, be combined with and given in the same manner  
18 as the notice of the regular or other election in such  
19 political subdivision.

20

21 **22-29-109. County commissioners' action on formation**  
22 **petition.**

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1 (f) If the county commissioners approve the petition  
2 for formation, as presented or as modified, the county  
3 commissioners shall enter an order declaring its approval.  
4 The order shall set forth the name of the proposed district  
5 and a description of the boundaries. Upon the entering of  
6 this order, the commissioners shall direct that the  
7 question of formation of the district and the election of  
8 the initial directors be submitted to the electors of the  
9 proposed district to be held in their respective counties  
10 by mail ballot or on the next election date authorized  
11 under W.S. 22-21-103 which is at least ~~sixty (60) one~~  
12 hundred ten (110) days after the expiration of the thirty  
13 (30) day period described in subsection (e) of this  
14 section.

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16 **22-29-110. County clerk to publish proclamation;**  
17 **filing period.**

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19 (a) ~~Not more than fifty (50) and not less than forty~~  
20 ~~(40)~~ Between one hundred one (101) and ninety-one (91)  
21 days, before ~~the~~ an organizational election held in  
22 conjunction with a primary or other August election and  
23 between ninety (90) and seventy (70) days before an

1 organizational election held in conjunction with a May,  
2 general or other November election, the county clerk shall  
3 publish at least once in a newspaper of general circulation  
4 in each county in which all or part of the proposed  
5 district is situated a proclamation setting forth the date  
6 of the election, what county clerk is the filing officer,  
7 the question of formation, what offices are to be filled  
8 including the terms of the offices, the filing period for  
9 the offices and other pertinent election information. Minor  
10 errors in the proclamation shall not invalidate the  
11 forthcoming election.

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13 (b) ~~Not more than thirty-nine (39) and not less than~~  
14 ~~thirty (30)~~ Between ninety-six (96) and eighty-one (81)  
15 days before ~~the~~ a formation election held in conjunction  
16 with a primary or other August election and between ninety  
17 (90) and seventy (70) days before a formation election held  
18 in conjunction with a May, general or other November  
19 election, candidates may file an application for election  
20 in the office of the county clerk. The principal act shall  
21 determine who is eligible to be a candidate. The  
22 application shall be in substantially the following form:

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APPLICATION FOR ELECTION  
SPECIAL DISTRICT DIRECTOR

I, the undersigned, swear or affirm that I was born on  
....., (year); that I have been a resident of .... district  
since ....., residing at .....; that I am an elector or  
landowner (check which one for eligibility) of said  
district and I do hereby request that my name, ....., be  
printed on the ballot of the formation (or other) election  
to be held on .... day of ....., (year) as a candidate for  
the office of director for a term of .... years. I hereby  
declare that if I am elected, I will qualify for the  
office.

Dated .....

Signature of Candidate

**35-2-401. Establishment of hospital district.**

(e) As an alternative to the procedures specified in  
subsection (d) of this section, a special hospital district  
may be established and subsequent elections held through  
the following procedures:



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(i) The board of county commissioners may, by resolution, submit the question of establishing the special hospital district to the electors of the proposed district at the next general election or another date as provided by W.S. 22-2-104. The board shall provide notice that it will consider the resolution at least thirty (30) days prior to the meeting at which the resolution will be considered. Notice of the election shall be given as required by W.S. 22-29-110;

(ii) If a majority of the voters in the proposed district voting at the election specified in paragraph (i) of this subsection vote for the establishment of the district the board of county commissioners shall enter that fact upon its record and the district is established;

(iii) Any subsequent election for a special hospital district established under this subsection shall be held as set forth in the Special District Elections Act of 1994.

1       **Section 2.** This act is effective July 1, 2018.

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(END)