

HOUSE BILL NO. HB0092

Election code-revisions.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

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

7

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

9

10 **Section** **1.** W.S. 22-5-216, 22-6-107,
11 22-6-118(a)(intro), 22-6-119(a)(iii), (iv) and (vi),
12 22-6-120(a)(xi), (xii) and (xv), 22-6-121(a), 22-6-123,
13 22-6-124, 22-8-106, 22-14-107 and 22-16-108 are amended to
14 read:

15

16 **22-5-216. Nomination of nonpartisan candidates.**

1

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

14

15 **22-6-107. Time for possession of ballots and labels.**

16

17 Official ballots and labels for primary and general
18 elections shall be in the county clerk's possession forty
19 (40) days before the election. If a clerk is unable to
20 obtain ballots on time, the secretary of state shall
21 provide by rule and regulation for the clerk to obtain and
22 use substitute ballots.

23

24 **22-6-118. Primary ballot colors.**

1

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

6

7 **22-6-119. Format of partisan primary ballot.**

8

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

12

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

21

22 (iv) Candidates for the different offices shall
23 be arranged in separate groups. At the top of each group
24 shall appear the title of the office. ~~On the same line and~~

1 ~~to the right~~ Adjacent to the title of the office shall be
2 printed "Vote for one" or if more than one (1) are to be
3 voted for, "Vote for not more than", then the appropriate
4 words and figures designating the proper number to be
5 elected;

6
7 (vi) Adjacent to ~~the right of~~ the name of each
8 candidate and blank line shall be printed a square for
9 marking the vote. No square shall appear at the top of a
10 column;

11
12 **22-6-120. Format of partisan general election ballot.**

13
14 (a) The general election partisan ballot shall be
15 printed in substantial compliance with this format:

16
17 (xi) Adjacent to ~~the right of~~ the name of each
18 candidate, except those running for the office of president
19 and vice-president of the United States and their electors,
20 and ~~after~~ adjacent to each blank line for write-in
21 candidates, shall be printed a square for marking the vote.
22 A single square shall be printed to indicate the vote for
23 candidates for the office of president and vice-president

1 of the United States. No square shall appear at the top of
2 a column;

3

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

9

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

15

16 **22-6-121. Political party ballot position on general**
17 **election ballot; order of candidates' names.**

18

19 (a) Political party position shall be determined on
20 the general election ballot according to the number of
21 votes received by each party within the county for the
22 office of representative in congress at the last preceding
23 general election. The party receiving the highest number
24 of votes shall appear first following the names of the

1 offices to be voted for and other parties shall follow in
2 the order of their respective numbers of such votes. The
3 order of any provisional parties will be drawn by the
4 secretary of state. Any independent candidates shall
5 appear following the last party and shall be listed in
6 alphabetical order, subject to rotation. When more than
7 one (1) candidate is to be elected to a particular office,
8 the names of candidates shall be printed in alphabetical
9 order, subject to rotation, on all ballots for electronic
10 and machine voting systems as defined by W.S. 22-1-102.

11
12 **22-6-123. Nonpartisan election ballots and ballot**
13 **propositions.**

14
15 Primary and general election ballots for nonpartisan
16 offices and ballot propositions shall be printed on yellow
17 paper or paper with yellow demarcation as provided by rule
18 and regulation of the secretary of state, separate from
19 partisan ballots. They shall contain no political party
20 designations, but otherwise shall conform to the same
21 general requirements for official partisan ballots except
22 as otherwise specifically provided.

23
24 **22-6-124. Ballot propositions format.**

1
2 Following all offices on nonpartisan ballots, ballot
3 propositions shall be printed in the order prescribed by
4 law. The name and official number, if any, of each ballot
5 proposition shall be printed ~~at the left margin~~ adjacent to
6 the proposition in large letters. Nonpartisan ballots
7 shall contain the same instructions as prescribed for
8 partisan primary election ballots in W.S. 22-6-119. If the
9 ballot contains a proposed constitutional amendment or
10 other ballot proposition, the instructions shall also
11 include the following: "To vote for or against a proposed
12 constitutional amendment, initiative or referendum, or
13 other ballot proposition, mark the square printed adjacent
14 to ~~the right of~~ the proposition marked 'For' or 'Against'."

15

16 **22-8-106. Number of judges in each precinct.**

17

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

23

24 **22-14-107. Tabulation of count.**

1

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

8

9 **22-16-108. Results furnished secretary of state.**

10

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

19

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

21

22

(END)