

SENATE FILE NO. SF0099

Vacancies in office.

Sponsored by: Senator(s) Jennings and Coe and
Representative(s) Brown, Childers and
Davison

A BILL

for

1 AN ACT relating to vacancies in office; providing for the
2 selection of one person by the state central committee to
3 fill the vacancy of United States senator, representative
4 in congress or other state offices as specified; repealing
5 provisions for special election to fill a vacancy for
6 representative in congress; and providing for an effective
7 date.

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

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11 **Section 1.** W.S. 22-18-111(a)(intro) and (i) is
12 amended to read:

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14 **22-18-111. Vacancies in other offices; temporary**
15 **appointments.**

16

1 (a) Any vacancy in any other elective office in the
2 state except ~~representative in congress or~~ the board of
3 trustees of a school or community college district, shall
4 be filled by the governing body, or as otherwise provided
5 in this section, by appointment of a temporary successor to
6 serve until a successor for the remainder of the unexpired
7 term is elected at the next general election and takes
8 office on the first Monday of the following January. If a
9 vacancy in a four (4) year term of office occurs after the
10 first day for filing an application for nomination pursuant
11 to W.S. 22-5-209, the temporary successor appointed shall
12 serve until the first Monday in January following the
13 second general election thereafter. The following apply:

14

15 (i) If a vacancy occurs in the office of United
16 States senator, representative in congress or in any state
17 office other than the office of justice of the supreme
18 court and the office of district court judge, the governor
19 shall immediately notify in writing the chairman of the
20 state central committee of the political party which the
21 last incumbent represented at the time of his election
22 under W.S. 22-6-120(a)(vii), or at the time of his
23 appointment if not elected to office. The chairman shall
24 call a meeting of the state central committee to be held

1 not later than fifteen (15) days after he receives notice
2 of the vacancy. At the meeting the state central committee
3 shall select and transmit to the governor the ~~names~~ name of
4 ~~three (3) persons~~ one (1) person qualified to fill the
5 vacancy. Within five (5) days after receiving ~~these three~~
6 ~~(3) names~~ the name, the governor shall fill the vacancy by
7 temporary appointment of ~~one (1) of the three (3)~~ that
8 person to hold the office. If the incumbent who has
9 vacated office did not represent a political party at the
10 time of his election, or at the time of his appointment if
11 not elected to office, the governor shall notify in writing
12 the chairman of all state central committees of parties
13 registered with the secretary of state. The state central
14 committees shall submit to the governor, within fifteen
15 (15) days after notice of the vacancy, the name of one (1)
16 person qualified to fill the vacancy. The governor shall
17 also cause to be published in a newspaper of general
18 circulation in the state notice of the vacancy in office.
19 Qualified persons who do not belong to a party may, within
20 fifteen (15) days after publication of the vacancy in
21 office, submit a petition signed by one hundred (100)
22 registered voters, seeking consideration for appointment to
23 the office. Within five (5) days after receiving the names
24 of qualified persons, the governor shall fill the vacancy

1 by temporary appointment to the office, from the names
2 submitted or from those petitioning for appointment;
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4 **Section 2.** W.S. 22-18-103 through 22-18-109 are
5 repealed.

6

7 **Section 3.** This act is effective July 1, 2007.

8

9 (END)