

HOUSE BILL NO. HB0002

Election code-revisions.

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

A BILL

for

1 AN ACT relating to elections; providing for temporary
2 registration for use of absentee ballots; repealing archaic
3 language; providing for replacement of spoiled ballots;
4 providing for approval of petitions for independent party
5 candidates; extending time for special elections to fill
6 vacancies of congressmen; and providing for an effective
7 date.

8

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

10

11 **Section 1.** W.S. 22-3-102(a)(intro) and (d),
12 22-3-117(c), 22-5-301 by creating a new subsection (b),
13 22-11-105, 22-13-105, 22-18-105, 22-25-105(b) and
14 22-25-107(b) are amended to read:

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16 **22-3-102. Qualifications; temporary registration.**

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2 (a) A person may register to vote not less than
3 ~~thirty (30) days, and effective January 1, 2011~~ fourteen
4 (14) days before an election, at any election specified in
5 W.S. 22-2-101(a)(i) through (viii) or as provided by W.S.
6 22-3-117, who satisfies the following qualifications:

7

8 (d) An absent uniformed services or an overseas
9 citizen voter who is qualified to register by mail, to
10 request an absentee ballot, and to vote in Wyoming is
11 entitled to register by mail using the Federal Postcard
12 Application for the purpose of voting in one (1) election,
13 ~~or as many as the next two (2) federal election cycles,~~
14 including ~~the~~ a primary, ~~and~~ general ~~and~~ or special federal
15 ~~elections~~ election, but thereafter the voter's name shall
16 be removed from the temporary registration list which shall
17 be maintained as a segregated part of the voter
18 registration list. The voter's name shall not appear on
19 the permanent official registry list until the voter has
20 registered as provided in W.S. 22-3-103 and 22-3-104.

21

22 **22-3-117. Absentee registration generally; use of**
23 **federal postcard.**

24

1 (c) Registration through the Federal Postcard
2 Application constitutes temporary registration for the
3 purpose of voting in one (1) election, ~~or through as many~~
4 ~~as the next two (2) federal election cycles,~~ including the
5 a primary, ~~and~~ general ~~and~~ or special federal ~~elections~~
6 election, and the registration of such a registrant shall
7 be maintained as provided in W.S. 22-3-102(d). The Federal
8 Postcard Application shall be accepted if completed and
9 signed by the applicant under penalty of perjury.

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11 **22-5-301. Independent partisan candidates; form.**

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13 (b) The petition shall be approved by the appropriate
14 filing office prior to circulation.

15
16 **22-11-105. Spoiled ballots.**

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18 Any voter who spoils his paper ballot or ballot card may
19 return it and secure a replacement, but not more than ~~twice~~
20 ten (10) times. The word "Spoiled" shall be written across
21 the face of the voided ballot, and it shall be placed in an
22 envelope for spoiled ballots. Spoiled ballots shall be
23 delivered with the returns to the county clerk.

1 **22-13-105. Official marking of paper and absentee**
2 **ballots.**

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4 Before delivering a paper ballot to an elector a judge of
5 election or county clerk shall initial the ballot. No other
6 identifying marks shall be made on an official ballot. An
7 elector shall cast only one (1) ballot or set of ballots at
8 each election. No ballot determined to be valid by the
9 canvassing board shall be rejected solely due to an
10 administrative error of not initialing the ballot.

11

12 **22-18-105. Filling vacancy of congressman; whether**
13 **filled at general or special election.**

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15 If the vacancy in the office of representative in congress
16 occurs within six (6) months prior to the next general
17 election, the vacancy shall be filled at the general
18 election. Otherwise the special election shall occur not
19 more than ~~forty (40)~~ fifty-five (55) days after the vacancy
20 occurs. The governor shall declare the vacancy and issue
21 the writ of election within five (5) days after the vacancy
22 occurs.

23

1 **22-25-105. Campaign reporting forms; instructions and**
2 **warning.**

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4 (b) The secretary of state shall promulgate rules to
5 allow the forms required pursuant to subsection (a) of this
6 section and any other forms and reports required to be
7 filed with him pursuant to this chapter to be filed
8 electronically. ~~after December 31, 2009.~~

9
10 **22-25-107. Where statements to be filed.**

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12 (b) ~~Until December 31, 2009,~~ Statements required to
13 be filed at least seven (7) days before any primary,
14 general or special election ~~may be filed by facsimile~~
15 ~~transmission without the original signatures. Until~~
16 ~~December 31, 2009, statements~~ and statements required to be
17 filed after any primary, general or special election ~~may be~~
18 ~~filed by facsimile transmission provided that an original~~
19 ~~with the required signatures is sent. After December 31,~~
20 ~~2009, all statements filed with the secretary of state~~
21 shall be filed electronically.

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