

Sponsored By: Joint Corporations, Elections & Political Subdivisions Interim Committee

AN ACT relating to elections; modifying penalties imposed upon persons failing to file campaign reports; providing for the collection of delinquent civil penalties, interest and other costs for failing to file campaign reports; repealing criminal penalties for failing to file campaign reports; amending elements and penalties for registration offenses and false voting; modifying enforcement provisions for violations of the Election Code; imposing duties on the secretary of state; and providing for effective dates.

1/24/2018 Bill Number Assigned
2/9/2018 H Received for Introduction
2/13/2018 H Introduced and Referred to H07 - Corporations 58-2-0-0-0

ROLL CALL

Ayes: Representative(s) Allen, Barlow, Biteman, Blackburn, Blake, Bovee, Brown, Burkhart, Byrd, Clausen, Clem, Connolly, Court, Crank, Dayton, Eklund, Eyre, Flitner, Freeman, Furphy, Gierau, Gray, Greear, Haley, Hallinan, Halverson, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Madden, Miller, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Salazar, Schwartz, Simpson, Sommers, Steinmetz, Stith, Sweeney, Walters, Wilson, Winters, Zwonitzer

Nays: Representative(s) Edwards, Lone
Ayes 58 Nays 2 Excused 0 Absent 0 Conflicts 0

2/20/2018 H07 - Corporations:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Byrd, Edwards, Eyre, Furphy, Lindholm, Lone, Sweeney, Zwonitzer

Ayes 9 Nays 0 Excused 0 Absent 0 Conflicts 0

2/20/2018 H Placed on General File

HB0002HS001/ADOPTED

- Page 3-line 11 Delete "fourteen (14) days after receipt".
Page 3-line 12 Delete "of the notice" and insert "twenty-one (21) days from the date the notice was sent".
Page 3-line 16 After "office" insert "or the county attorney, for reports required to be filed with the county clerk,".
Page 3-line 19 After "22-25-106" delete balance of line.
Page 3-line 20 Delete "required by" and insert "twenty-one (21) days from the date the notice was sent under".
Page 4-line 1 After "office" insert "or county attorney".
Page 4-line 20 After "office" insert "or county attorney".
Page 4-line 22 After "office" insert "or county attorney".
Page 5-line 6 Delete "clerk" and insert "attorney".
Page 5-line 13 After "office" insert "or county attorney".

Page 5-line 20 After "office" insert "for the state"; delete "district".
Page 5-line 21 Delete entirely and insert "attorney general of a". ZWONITZER, CHAIRMAN

2/22/2018 H COW:Passed
2/23/2018 H 2nd Reading:Passed
2/27/2018 H 3rd Reading:Passed 58-0-2-0-0

ROLL CALL

Ayes: Representative(s) Allen, Barlow, Biteman, Blackburn, Blake, Bovee, Brown, Burkhart, Byrd, Clausen, Clem, Connolly, Court, Crank, Dayton, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gierau, Gray, Greear, Haley, Hallinan, Halverson, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Madden, Miller, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Salazar, Schwartz, Simpson, Sommers, Steinmetz, Stith, Sweeney, Walters, Wilson, Winters, Zwonitzer

Excused: Representative(s) Lone, Northrup

Ayes 58 **Nays** 0 **Excused** 2 **Absent** 0 **Conflicts** 0

2/28/2018 S Received for Introduction
2/28/2018 S Introduced and Referred to S07 - Corporations
3/1/2018 S07 - Corporations:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Case, Nethercott, Pappas, Scott

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/1/2018 S Placed on General File
3/1/2018 S COW:Passed
3/2/2018 S 2nd Reading:Passed

HB0002S3001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 6 After "reports;" insert "amending elements and penalties for registration offenses and false voting;"; delete "failing to".
Page 1-line 7 Delete line through "other".
Page 1-line 14 After "(m)" insert ", 22-26-102(a)(intro), (i) and by creating new subsections (b) through (e), 22-26-106(a)(intro), (i), (iii) and by creating new subsections (b) through (e)".

Page 6-after line 20 Insert:

"22-26-102. Registration offenses.

(a) Registration offenses consist of performing any of the following acts ~~with the intent to deceive a registration official or to subvert the registration requirements of the law or rights of a qualified elector in connection with or related to the election process or an election:~~

(i) Signing or offering to sign an application to register when not a qualified elector or to register under a false name or residence address;

(b) Unless otherwise provided in subsection (c) of this section, registration offenses are misdemeanor offenses punishable by a fine of not more than two hundred dollars (\$200.00).

(c) Registration offenses committed with the intent to deceive a registration official are high misdemeanor offenses punishable by not

more than one (1) year imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both.

(d) Second or subsequent offenses under subsection (c) of this section are felony offenses punishable by not more than five (5) years imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both.

(e) The county sheriff shall investigate registration offenses at the request of a county clerk who has reasonable cause to believe that a person has committed a registration offense. After an investigation and a finding that the allegation has merit, the county sheriff shall refer the matter to the district attorney for prosecution in the appropriate courts of this state.

22-26-106. False voting.

(a) False voting consists of performing any of the following acts in connection with or related to the election process or an election:

(i) Voting, or offering to vote, ~~with the knowledge of~~ when not ~~being~~ a qualified elector entitled to vote at the election;

(iii) ~~Knowingly~~ Voting, or offering to vote, in a precinct other than that in which qualified to vote;

(b) Unless otherwise provided in subsection (c) of this section, false voting is a misdemeanor offense punishable by a fine of not more than two hundred dollars (\$200.00).

(c) False voting committed with the knowledge of not being a qualified elector entitled to vote at the election or in that precinct is a high misdemeanor offense punishable by not more than one (1) year imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both.

(d) Second or subsequent offenses under subsection (c) of this section are felony offenses punishable by not more than five (5) years imprisonment, a fine of not more than ten thousand dollars (\$10,000.00), or both.

(e) The county sheriff shall investigate acts of false voting at the request of a county clerk who has reasonable cause to believe that a person has committed false voting. After an investigation and a finding that the allegation has merit, the county sheriff shall refer the matter to the district attorney for prosecution in the appropriate courts of this state."

Page 9-after line 4 Insert:

"(e) A complaint of a violation of W.S. 22-26-102 or 22-26-106 shall be filed with the county clerk for the county in which the elector resides and be investigated by the county sheriff as provided in those sections. If the county clerk or other appropriate official specified in W.S. 22-26-102(e) or 22-26-106(e) fails or refuses for any reason to take action on the elector's complaint, the elector may file a complaint with the Wyoming attorney general."

Page 9-line 6 Delete "(e)" insert "(f)".

Page 10-line 4 Delete "and" and insert ",".

Page 10-line 5 After "22-25-109" insert "and 22-26-101(a)(i) and (v)". CASE

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/5/2018 S 3rd Reading:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/5/2018 H Received for Concurrence

3/6/2018 H Concur:Passed 46-14-0-0-0

ROLL CALL

Ayes: Representative(s) Allen, Barlow, Biteman, Blackburn, Blake, Bovee, Brown, Clausen, Clem, Connolly, Court, Dayton, Edwards, Eklund, Eyre, Freeman, Furphy, Gierau, Gray, Haley, Hallinan, Halverson, Henderson, Hunt, Jennings, Kinner, Kirkbride, Laursen, Lindholm, Lone, MacGuire, Madden, Miller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Salazar, Schwartz, Simpson, Steinmetz, Stith, Sweeney, Wilson, Zwonitzer

Nays: Representative(s) Burkhart, Byrd, Crank, Flitner, Greear, Harshman, Larsen, Loucks, Nicholas, Northrup, Obermueller, Sommers, Walters, Winters

Ayes 46 **Nays** 14 **Excused** 0 **Absent** 0 **Conflicts** 0

3/6/2018 Assigned Number HEA No. 0023

3/7/2018 H Speaker Signed HEA No. 0023

3/7/2018 S President Signed HEA No. 0023

3/10/2018 Governor Signed HEA No. 0023

3/10/2018 Assigned Chapter Number 40

Chapter No. 40 Session Laws of Wyoming 2018