

Bill No.: HB0002

Effective: Multiple Dates

LSO No.: 18LSO-0174

Enrolled Act No.: HEA No. 0023

Chapter No.: 40

Prime Sponsor: Joint Corporations, Elections & Political Subdivisions Interim Committee

Catch Title: Election law violations-penalties and enforcement.

Subject: Election law violations.

Summary/Major Elements:

- This act modifies penalties and enforcement provisions for persons failing to file campaign reports. This act:
 - Authorizes the appropriate filing office or county attorney to issue a final order imposing a civil penalty (\$500 for a failure to file a report with the Secretary of State and \$200 for a failure to file a report with a county clerk) against any person failing to file campaign reports;
 - Provides for reconsideration and waiver of a civil penalty upon a finding of good cause by a filing office or county attorney;
 - Provides for the collection of delinquent civil penalties, interest and other costs for failing to file campaign reports;
- This act amends elements and penalties for registration offenses and false voting. This act:
 - Provides that a person who commits a registration offense or an act of false voting shall be subject to a misdemeanor, high misdemeanor or felony, depending on the person's intent and number of offenses;
 - Requires the county sheriff to investigate voter registration offenses or acts of false voting at the request of a county clerk and to refer any matter that has merit to the district attorney for prosecution.
- This act also modifies enforcement provisions generally for violations of the Election Code. Except as otherwise provided, complaints of violations by any:
 - Statewide or legislative candidate, committee or organization, as defined in this act, shall be filed with the Secretary of State and referred to the Wyoming Attorney General for investigation and prosecution;

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- County or municipal candidate, committee or organization, as defined in this act, shall be filed with the county clerk and referred to the district attorney for the county in which the candidate resides for investigation and prosecution.

Comments:

- That portion of this act requiring the Secretary of State to develop a form for written complaints of violations of the Election Code is effective immediately. The remainder of the bill is effective May 1, 2018.
- Has a Delayed Effective Date.

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