

SENATE FILE NO. SF0099

Voting systems and ballots.

Sponsored by: Senator(s) Steinmetz and Biteman and  
Representative(s) Clem, Edwards and Furphy

A BILL

for

1 AN ACT relating to elections; authorizing counting of ballots  
2 at a central counting location; requiring rulemaking; and  
3 providing for effective dates.

4

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

6

7 **Section 1.** W.S. 22-2-121 by creating a new subsection  
8 (g), 22-14-102, 22-14-105(f), 22-14-110, 22-14-111(a)(intro)  
9 and 22-14-114 are amended to read:

10

11 **22-2-121. Chief election officer to prepare forms;**  
12 **rules; advice.**

13

14 (g) The secretary of state shall adopt rules and  
15 regulations that allow for the counting of ballots at a

1 central counting center. The rules shall specify procedures  
2 for delivering ballots to the central counting center.

3

4 **22-14-102. Who may be present after polls close; making**  
5 **pollbooks agree; counting votes.**

6

7 After all the votes are cast and the polls are officially  
8 declared closed, only election judges shall be permitted in  
9 a polling place. When all ballots are cast, the machine shall  
10 be locked against further voting and sealed as prescribed by  
11 law. Except as otherwise provided by W.S. 22-14-114(b),  
12 election judges shall commence to count votes and shall  
13 continue without adjournment until counting is completed.

14

15 **22-14-105. Vote tallying in voting machine polling**  
16 **places.**

17

18 (f) This section does not vitiate the provisions of  
19 W.S. 22-9-125 permitting an alternate procedure for counting  
20 absentee ballots or the provisions of W.S. 22-14-114(b)  
21 permitting the counting of ballots at a central counting  
22 center.

23

1           **22-14-110. Sealing paper ballots and voting machine**  
2 **records.**

3  
4 Paper ballots shall be sealed by the election judges in an  
5 envelope after being counted and tallied, unless the ballots  
6 are being counted at a central counting center as authorized  
7 by W.S. 22-14-114(b). One (1) copy of each voting machine  
8 record shall be sealed in a separate envelope showing the  
9 district, precinct and machine number and endorsed by the  
10 election judges. These envelopes shall then be sealed in a  
11 single large container. The district and precinct number  
12 shall be written on each container.

13

14           **22-14-111. Returning records and returns to clerk.**

15

16           (a) Unless the votes are being counted at a central  
17 counting center as authorized by W.S. 22-14-114(b), election  
18 judges shall, as soon as possible after the tabulation of  
19 votes is complete, ~~election judges shall~~ return by messenger  
20 to the clerk who prepared the ballots for the election the  
21 following records and returns in a sealed packet:

22

23           **22-14-114. Counting of ballots.**

1

2       (a) For ballots designed to be counted by machine, each  
3 individual vote shall be determined by the voting equipment  
4 and shall not be determined subjectively by human tabulation  
5 except when the intent of the voter is unmistakable but the  
6 ballot was received in such damaged, soiled, or other  
7 condition that it is rejected by the machine. The secretary  
8 of state may promulgate rules establishing standards for  
9 counting such ballots. For ballots not designed to be counted  
10 by machine, only votes clearly marked, as provided by W.S.  
11 22-14-104 and rules promulgated pursuant to this code, shall  
12 be tallied. For write-in votes, names which are misspelled or  
13 abbreviated or the use of nicknames of candidates shall be  
14 counted for the candidate if the vote is obvious to the board.

15

16       (b) At the request of a county clerk, ballots may be  
17 received from a polling place and counted at a central  
18 counting center in accordance with rules promulgated by the  
19 secretary of state pursuant to W.S. 22-2-121(g).

20

21       **Section 2.** The secretary of state shall promulgate  
22 rules required by this act not later than January 15, 2020.

23

1         **Section 3.**

2

3         (a) Except as provided in subsection (b) of this  
4 section, this act is effective January 15, 2020.

5

6         (b) Section 2 of this act is effective immediately upon  
7 completion of all acts necessary for a bill to become law as  
8 provided by Article 4, Section 8 of the Wyoming Constitution.

9

10   ( END )