

ENROLLED ACT NO. 57, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

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

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

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

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

(g) The secretary of state shall adopt rules and regulations that allow for the counting of ballots at a central counting center. The rules shall specify procedures for delivering ballots to the central counting center.

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

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

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

(f) This section does not vitiate the provisions of W.S. 22-9-125 permitting an alternate procedure for counting absentee ballots or the provisions of W.S. 22-14-114(b)

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permitting the counting of ballots at a central counting center.

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

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

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

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

22-14-114. Counting of ballots.

(a) For ballots designed to be counted by machine, each individual vote shall be determined by the voting equipment and shall not be determined subjectively by human tabulation except when the intent of the voter is unmistakable but the ballot was received in such damaged, soiled, or other condition that it is rejected by the machine. The secretary of state may promulgate rules establishing standards for counting such ballots. For ballots not designed to be counted

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by machine, only votes clearly marked, as provided by W.S. 22-14-104 and rules promulgated pursuant to this code, shall be tallied. For write-in votes, names which are misspelled or abbreviated or the use of nicknames of candidates shall be counted for the candidate if the vote is obvious to the board.

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

Section 2. The secretary of state shall promulgate rules required by this act not later than January 1, 2020.

Section 3.

(a) Except as provided in subsection (b) of this section, this act is effective January 1, 2020.

ORIGINAL SENATE
FILE NO. SF0099

ENGROSSED

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk