

SENATE FILE NO. SF0097

Elections-nominations amendments.

Sponsored by: Senator(s) James, Hutchings and Kost

A BILL

for

1 AN ACT relating to elections; amending nomination procedures
 2 for major party candidates, minor party candidates and
 3 independent candidates as specified; repealing provisions
 4 related to the nomination of independent candidates; making
 5 conforming amendments; requiring rulemaking; and providing
 6 for effective dates.

7

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

9

10 **Section 1.** W.S. 22-1-102(a)(liii)(A), 22-4-303,
 11 22-4-406, 22-5-101, 22-5-301(a), 22-6-101,
 12 22-6-117(a)(intro), 22-6-118(a)(iv) and 22-6-119(a)(intro)
 13 and (i) are amended to read:

14

15 **22-1-102. Definitions.**

16

1 (a) The definitions contained in this chapter apply to
2 words and phrases used in this Election Code and govern the
3 construction of those words and phrases unless they are
4 specifically modified by the context in which they appear. As
5 used in this Election Code:

6

7 (liii) "Candidate" means any person who knowingly
8 seeks nomination or election to public office by:

9

10 (A) Filing an application for nomination by
11 primary election, ~~nomination by political party convention~~ or
12 by petition for nomination;

13

14 **22-4-303. Nomination of candidates.**

15

16 (a) Minor parties ~~may shall~~ nominate candidates to be
17 placed on the general election ballot only by ~~party~~
18 ~~convention. Under no circumstances shall a minor political~~
19 ~~party nominate by~~ the primary election process.

20

21 **(b) The primary election of minor political parties**
22 **shall be held at the same time and at the same polling places**
23 **as the primary election of major political parties and shall**

1 be conducted by the same election officials. Each minor
2 political party shall have a separate party ballot in the
3 primary election.

4
5 **22-4-406. Officers and nominating procedures.**

6
7 A provisional party shall be subject to W.S. 22-4-302 through
8 22-4-307. ~~Under no circumstances shall a provisional party~~
9 ~~nominate by the primary election process.~~

10
11 **22-5-101. How candidates nominated.**

12
13 Nominations of candidates for all offices filled at a general
14 election, except school and community college district
15 offices and special district offices, may be made by primary
16 election, or by petition for nomination as an independent
17 candidate as provided in W.S. 22-5-301 through ~~22-5-308 or by~~
18 ~~convention as provided in W.S. 22-4-303 and 22-4-406~~
19 22-5-307.

20
21 **22-5-301. Independent partisan candidates; form.**

22

1 (a) Independent candidates for partisan public offices
 2 may be nominated by filing a signed petition in substantially
 3 the following form:

4

5

PETITION FOR NOMINATION

6

7 I,, swear or affirm that I was born on,(year),
 8 that I have been a resident of the State of Wyoming since
 9, and that I am a registered voter of Election District
 10 No., in Precinct No., County of, residing at
 11, (if for the office of state senator or representative,
 12 commissioner or other district office) in Senate (House)
 13 (Commissioner or other) District, State of Wyoming, ~~and~~
 14 ~~having obtained the number of signatures required by law for~~
 15 ~~nomination by petition,~~ I hereby request that my name be
 16 printed on the official ballot at the next general election
 17 as an independent candidate for the office of and declare
 18 that if nominated and elected, I will qualify for the office.

19

20 Dated the day of,(year).

21

22 (Signature)

23

1 ~~The eligible, registered electors supporting my nomination,~~
 2 ~~and numbering not less than the number required under W.S.~~
 3 ~~22-5-304, are as follows:~~

4

5 ~~(Signature) (Printed Name) (Residence) (Date)~~

6

7 ~~1. _____~~

8

9 ~~2. _____~~

10

11 ~~VERIFICATION BY CIRCULATORS~~

12

13 ~~I,, do hereby certify that I am a circulator of this~~
 14 ~~petition, and I solely and personally circulated this~~
 15 ~~petition, that all the signatures appearing herein were made~~
 16 ~~in my presence from (month) (day), (year)~~
 17 ~~through (month) (day), (year), and to the best~~
 18 ~~of my knowledge and belief such signatures are those of the~~
 19 ~~persons whose names they purport to be.~~

20

21 ~~..... (Signature)~~

22

1 **22-6-101. Certification of candidates nominated;**
2 **printing of names.**

3

4 Not less than sixty (60) days before each general election
5 the secretary of state shall transmit to each county clerk
6 under party headings a certified list of the name and address
7 of each person nominated by primary election as indicated by
8 the state canvass, ~~the name of each person nominated by~~
9 ~~provisional or minor party convention,~~ the name of each
10 independent candidate ~~qualifying for nomination by petition,~~
11 filing a petition for nomination under W.S. 22-5-301(a) and
12 the office sought. The names of these candidates shall be
13 printed on the official ballot of the general election.

14

15 **22-6-117. Order of listing offices in partisan**
16 **elections.**

17

18 (a) The major and minor party primary and general
19 partisan election ballots shall contain the offices to be
20 voted on in the following order:

21

22 **22-6-118. Primary ballot colors.**

23

1 (a) The primary ballot of political parties shall be
2 printed on the following colored paper or on paper with the
3 following color demarcation as provided by rule and
4 regulation of the secretary of state:

5

6 (iv) Additional major and minor parties - A
7 different color for each major and minor party.

8

9 **22-6-119. Format of primary ballot.**

10

11 (a) The primary ballot of each major and minor
12 political party shall be printed in substantial compliance
13 with this format:

14

15 (i) Across the top shall be printed "Official
16 Primary Election Ballot" followed by the name of the major or
17 minor political party;

18

19 **Section 2.** W.S. 22-5-304, 22-5-305 and 22-5-308 are
20 repealed.

21

22 **Section 3.** The secretary of state shall promulgate all
23 rules necessary to implement the provisions of this act.

1

2 **Section 4.**

3

4 (a) Except as provided in subsection (b) of this section,
5 this act is effective July 1, 2019.

6

7 (b) Section 3 of this act is effective immediately upon
8 completion of all acts necessary for a bill to become law as
9 provided by Article 4, Section 8 of the Wyoming Constitution.

10

11

(END)