

HOUSE BILL NO. HB0167

Voter fraud-prevention.

Sponsored by: Representative(s) Gray, Edwards, Jennings,
Salazar, Styvar, Tass and Washut and
Senator(s) Biteman, Boner, James, Moniz and
Steinmetz

A BILL

for

1 AN ACT relating to elections; modifying identification
2 requirements to vote; authorizing the issuance of Wyoming
3 voter identification cards as specified; imposing duties on
4 the secretary of state and the department of
5 transportation; making conforming amendments; repealing
6 provisions related to proof of identity for voting; and
7 providing for effective dates.

8

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

10

11 **Section 1.** W.S. 22-3-119 is created to read:

12

13 **22-3-119. Wyoming voter identification card.**

14

1 (a) Any person holding or retaining an expired or
2 unexpired Wyoming driver's license primarily for purposes
3 of voter identification, may apply to surrender or
4 invalidate that license and receive a Wyoming voter
5 identification card issued as provided in this section as a
6 valid alternative form of identification.

7

8 (b) Each county clerk shall provide at least one (1)
9 place in the county at which the clerk shall accept
10 applications for and issue Wyoming voter identification
11 cards in accordance with this section. Wyoming voter
12 identification cards issued under this section shall only
13 be valid for purposes of acceptable identification under
14 W.S. 22-3-118 and shall only be available to persons who
15 meet all of the following qualifications:

16

17 (i) The person is a registered elector of the
18 state;

19

20 (ii) The person has a valid expired or unexpired
21 driver's license issued under title 31 of the Wyoming
22 statutes;

23

1 (iii) The person desires to surrender or
2 otherwise invalidate their Wyoming driver's license in
3 order to receive a Wyoming voter identification card.

4

5 (c) A person shall apply in person for a Wyoming
6 voter identification card. An application for a Wyoming
7 voter identification card shall:

8

9 (i) Require the following information from the
10 applicant:

11

12 (A) Full legal name;

13

14 (B) Current residence address;

15

16 (C) Date of birth;

17

18 (D) A physical description of the applicant
19 including sex, height, weight and eye color.

20

21 (ii) Be signed and sworn to by the applicant
22 under penalty of perjury.

23

1 (d) Prior to issuing a Wyoming voter identification
2 card to a person, a county clerk shall:

3

4 (i) Verify that the person has a valid expired
5 or unexpired Wyoming driver's license;

6

7 (ii) Verify that the person is registered to
8 vote in the state;

9

10 (iii) Require documentation showing the person's
11 name and address of principal residence;

12

13 (iv) Require the person to surrender their
14 Wyoming driver's license to the county clerk or otherwise
15 allow the county clerk to invalidate the license.

16

17 (e) No fee shall be charged or collected for the
18 application for or issuance of a Wyoming voter
19 identification card. The Wyoming voter identification card
20 shall be captioned "WYOMING VOTER IDENTIFICATION CARD" and
21 shall contain a prominent statement that under Wyoming law
22 it is valid only as identification for voting purposes. The
23 Wyoming voter identification card shall be laminated,

1 contain a digital color photograph of the applicant and
2 include all of the following information:

3

4 (i) The information required by paragraph (c)(i)
5 of this section;

6

7 (ii) The date the voter identification card was
8 issued;

9

10 (iii) The county where the voter identification
11 card was issued;

12

13 (iv) Any other information or identification as
14 required by rule of the secretary of state.

15

16 (f) A Wyoming voter identification card shall remain
17 valid so long as the person resides in the same county and
18 remains qualified to vote. A person who moves residence
19 outside of the county in which a Wyoming voter
20 identification card was issued may surrender his card to
21 the county clerk of the county of his new residence within
22 the state and may after the surrender apply for and receive
23 a new card if the person is otherwise eligible under this

1 section. Any person who moves residence outside the state
2 or who ceases to be qualified to vote shall surrender his
3 Wyoming voter identification card to the county clerk who
4 issued the card.

5

6 (g) The secretary of state shall provide each county
7 clerk with the necessary equipment, forms, supplies and
8 training for the production of the Wyoming voter
9 identification cards and shall maintain the equipment.

10

11 (h) The department of transportation, in consultation
12 with the secretary of state, shall develop a process for
13 county clerks to verify and take possession of or otherwise
14 invalidate an applicant's Wyoming driver's license in
15 accordance with this section.

16

17 **Section 2.** W.S. 22-2-119 and 22-3-118(a)(intro),
18 (b)(intro), (d) and (f) are amended to read:

19

20 **22-2-119. Qualified elector may vote.**

21

22 Except as specifically provided otherwise, a person may
23 vote only if ~~he~~the person is a qualified elector, only if

1 the person shows acceptable identification before voting
2 and only in the precinct in which ~~he~~the person resides.

3

4 **22-3-118. Proof of identity.**

5

6 (a) Unless a voter is challenged pursuant to W.S.
7 22-15-101 through 22-15-109, no identification shall be
8 required when~~+~~ voting by mail after having previously voted
9 in a Wyoming federal election.

10

11 (b) Prior to voting, when a voter ~~has registered by~~
12 ~~mail and~~ is voting in person, ~~in his first Wyoming federal~~
13 ~~election,~~ or is voting by mail in his first Wyoming federal
14 election, he shall provide~~+~~ acceptable identification.

15

16 (d) Voters who are unable to provide the required
17 proof under the applicable provisions of ~~subsections (b)~~
18 ~~and (c) of~~ this section shall be offered provisional
19 ballots in accordance with W.S. 22-15-105 and permitted
20 until the close of business on the day following the
21 election to present documentation to the county clerk
22 establishing their eligibility to vote in the precinct.

23

1 (f) As used in this section:

2

3 (i) "Acceptable identification" includes a
4 Wyoming voter identification card issued under W.S.
5 22-3-119;

6

7 (ii) "Wyoming federal election" means a primary
8 election, general election or a special election for
9 federal office held in this state.

10

11 **Section 3.** W.S. 22-3-118(a)(i) and (ii), (b)(i) and
12 (ii) and (c) is repealed.

13

14 **Section 4.**

15

16 (a) The secretary of state shall promulgate rules as
17 required by this act.

18

19 (b) The department of transportation shall consult
20 with the secretary of state and develop the process
21 required by W.S. 22-3-119(h), as created by this act.

22

23 **Section 5.**

1

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

4

5 (b) Sections 4 and 5 of this act are effective
6 immediately upon completion of all acts necessary for a
7 bill to become law as provided by Article 4, Section 8 of
8 the Wyoming Constitution.

9

10

(END)