

## HOUSE BILL NO. HB0075

Voter identification.

Sponsored by: Representative(s) Gray, Andrew, Baker, Barlow, Bear, Blackburn, Brown, Burt, Crago, Duncan, Eklund, Eyre, Fortner, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Hunt, Jennings, Knapp, Laursen, MacGuire, Neiman, Newsome, O'Hearn, Olsen, Ottman, Paxton, Rodriguez-Williams, Romero-Martinez, Simpson, Sommers, Stith, Styvar, Washut, Western, Wharff, Wilson, Winter and Zwonitzer and Senator(s) Biteman, Boner, Bouchard, Dockstader, Driskill, Ellis, French, Hicks, Hutchings, Kinskey, Kost, Nethercott, Schuler, Steinmetz and Wasserburger

A BILL

for

1 AN ACT relating to elections; modifying the definition of  
 2 acceptable identification; requiring that acceptable  
 3 identification be presented before voting in person;  
 4 providing that provisional ballots may be cast as  
 5 specified; providing that in person voters may be  
 6 challenged for failure to present acceptable  
 7 identification; modifying requirements of the department of  
 8 transportation related to identification cards as

1 specified; making conforming amendments; and providing for  
2 an effective date.

3

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

5

6       **Section 1.** W.S. 22-1-102(a)(xxxix), 22-2-119,  
7 22-3-118(a)(i) and (ii), 22-15-104(a) by creating a new  
8 paragraph (vi), 31-8-103(d) and 31-8-104 are amended to  
9 read:

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11       **22-1-102. Definitions.**

12

13       (a) The definitions contained in this chapter apply  
14 to words and phrases used in this Election Code and govern  
15 the construction of those words and phrases unless they are  
16 specifically modified by the context in which they appear.  
17 As used in this Election Code:

18

19               (xxxix) "Acceptable identification" means:

20

21               (A) For purposes of voter registration, one  
22 (1) of the identification documents or other proof of

1 identity as specified by rule of the secretary of state as  
2 adequate proof of the identity of a voter;

3

4 (B) For purposes of in person voter  
5 identification immediately before voting at a polling place  
6 or absentee polling place, any of the following:

7

8 (I) A Wyoming driver's license as  
9 defined by W.S. 31-7-102(a)(xxv);

10

11 (II) A tribal identification card  
12 issued by the governing body of the Eastern Shoshone tribe  
13 of Wyoming, the Northern Arapaho tribe of Wyoming or other  
14 federally recognized Indian tribe;

15

16 (III) A Wyoming identification card  
17 issued under W.S. 31-8-101;

18

19 (IV) A valid United States passport;

20

21 (V) A United States military card;

22

1                   (VI) A driver's license or  
2 identification card issued by any state or outlying  
3 possession of the United States;

4  
5                   (VII) Photo identification issued by  
6 the University of Wyoming, a Wyoming community college or a  
7 Wyoming public school;

8  
9                   (VIII) A valid Medicare insurance  
10 card. This subdivision is repealed effective December 31,  
11 2029.

12  
13           **22-2-119. Qualified elector may vote; acceptable**  
14 **identification requirement; provisional ballots.**

15  
16 Except as specifically provided otherwise, a person may  
17 vote only if ~~he~~the person is a qualified elector, ~~and~~only  
18 in the precinct in which ~~he~~the person resides and, if  
19 voting in person, only if the person presents acceptable  
20 identification immediately before voting at the polling  
21 place or absentee polling place. If a person is unable to  
22 present acceptable identification immediately before voting

1 at the polling place or absentee polling place, the person  
2 may vote by provisional ballot pursuant to W.S. 22-15-105.

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:

9  
10 (i) Voting ~~in person or~~ by ~~mail~~ absentee ballot  
11 after having registered in person; or

12  
13 (ii) Voting ~~in person or~~ by ~~mail~~ absentee ballot  
14 after having registered by mail and having submitted a copy  
15 of the person's acceptable identification, as set forth in  
16 W.S. 22-1-102(a)(xxxix)(A), at the time of registration.

17  
18 **22-15-104. Grounds for challenge.**

19  
20 (a) A person offering to vote may be challenged for  
21 the following reasons:

1           (vi) For in person voting, failure to present  
2 acceptable identification immediately before voting at the  
3 polling place or absentee polling place.

4  
5           **31-8-103. Expiration; records; new cards.**

6  
7           (d) The division shall send a notification for an  
8 identification card to the last known address of every  
9 eligible registrant, or notify by electronic means if the  
10 eligible registrant has consented to receive notices  
11 electronically, within one hundred twenty (120) days prior  
12 to expiration of the registrant's identification card. The  
13 notification shall conspicuously advise registrants of the  
14 requirement that in person voters present acceptable  
15 identification immediately before voting at the polling  
16 place or absentee polling place and that an identification  
17 card is a form of acceptable identification. Every  
18 identification card is renewable upon application and  
19 payment of the required fee. As used in this section, "last  
20 known address" means the address, email address or other  
21 electronic contact information, as applicable according to  
22 the sending method, on file with the division.

23

1           **31-8-104. Fees.**

2

3           Every applicant for an identification card shall pay  
4 ten dollars (\$10.00) to the department plus an additional  
5 ten dollars (\$10.00) for a digital identification card if  
6 applicable. This fee shall be waived if the applicant  
7 requests an identification card that shall be used only for  
8 voter identification purposes. The state treasurer shall  
9 credit identification card fees to the highway fund.  
10 Identification cards, including digital identification  
11 cards, issued as a result of the cancellation of a license  
12 under W.S. 31-7-122(a)(i) shall be issued without payment  
13 of any fee.

14

15           **Section 2.** This act is effective July 1, 2021.

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17

(END)