

ENROLLED ACT NO. 80, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to elections; modifying the definition of "residence" for purposes of elections of and candidates for the offices of United States senator and member of congress; modifying nomination application requirements and affirmations accordingly; and providing for an effective date.

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

Section 1. W.S. 22-1-102(a)(xxx) by creating a new subparagraph (G), 22-5-204(b)(iii) and 22-5-301(a) are amended to read:

22-1-102. Definitions.

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

(xxx) "Residence" is the place of a person's actual habitation. The construction of this term shall be governed by the following rules:

(G) Candidates seeking election to the office of United States senator or representative in congress shall not, at the time of knowingly seeking nomination or election as provided by paragraph (liii) of this subsection, claim or currently be claiming any residence or receive the benefits of residency from any other state, excluding the benefits of residency related to or incidental from maintaining a residence at or near the United States capital.

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**22-5-204. Application for nomination or election;
party registration; form.**

(b) An eligible person seeking nomination or election
for a partisan office shall:

(iii) File an application in substantially the
following form:

APPLICATION FOR NOMINATION OR ELECTION BY PARTY
PRIMARY

State of Wyoming)

) ss

County of)

I,, swear or affirm that I was born on,
....(year), that I have been a resident of the
state of Wyoming since, and that I am a
registered voter of Election District No.,
in Precinct No., residing at, in County
of, (if for the office of state senator or
representative) in Senate (House) District,
state of Wyoming, and registered as a member of
.... party, (if for the office of governor) and
that I resided at the physical residential
addresses listed below during the past five (5)
years, and I hereby request that my name be
printed upon the official party ballot at the
next primary election as a candidate for the
office of, and hereby declare that if
nominated and elected, I will qualify for the
office.

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(If for the office of United States senator or representative in congress) I have not, at any time when knowingly seeking nomination or election to this office, claimed or been currently claiming any residence or received the benefits of residency from any other state, excluding the benefits of residency related to or incidental from maintaining a residence at or near the United States capital.

(If for the office of governor) I have resided at the following physical residential addresses during the past five (5) years:

(Residence) (Date)

- 1.
- 2.

Dated the day of,(year).

.....(Signature)

22-5-301. Independent partisan candidates; form.

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

PETITION FOR NOMINATION

I,, swear or affirm that I was born on,(year), that I have been a resident of the

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State of Wyoming since , and that I am a registered voter of Election District No. , in Precinct No. , County of , residing at , (if for the office of state senator or representative, commissioner or other district office) in Senate (House) (Commissioner or other) District , State of Wyoming, (if for the office of governor) and that I resided at the physical residential addresses listed below during the past five (5) years, and having obtained the number of signatures required by law for nomination by petition, I hereby request that my name be printed on the official ballot at the next general election as an independent candidate for the office of and declare that if nominated and elected, I will qualify for the office.

(If for the office of United States senator or representative in congress) I have not, at any time when knowingly seeking nomination or election to this office, claimed or been currently claiming any residence or received the benefits of residency from any other state, excluding the benefits of residency related to or incidental from maintaining a residence at or near the United States capital.

(If for the office of governor) I have resided at the following physical residential addresses during the past five (5) years:

(Residence)

(Date)

1.

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2.

Dated the day of,(year).

..... (Signature)

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

(Signature) (Printed Name) (Residence) (Date)

1.

2.

VERIFICATION BY CIRCULATORS

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

..... (Signature)

ORIGINAL HOUSE
BILL NO. HB0163

ENGROSSED

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk