

HOUSE BILL NO. HB0037

Election offenses-intimidation.

Sponsored by: Joint Corporations, Elections & Political Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to elections; creating the misdemeanor  
2 offense of election intimidation; creating the felony  
3 offense of aggravated election intimidation; providing for  
4 penalties; repealing an inconsistent provision; and  
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 22-26-122 is created to read:

10

11 **22-26-122. Election intimidation.**

12

13 (a) Election intimidation consists of:

14

1           (i) Inducing, or attempting to induce, fear in  
2 an election official or elector by use of verbal threats of  
3 force, violence, harm or loss, or any form of economic  
4 retaliation, with the intent to impede or prevent the free  
5 exercise of the elective franchise or the impartial  
6 administration of the Election Code; or

7

8           (ii) Soliciting the contribution of funds, other  
9 items of value or election assistance to the campaign of  
10 any candidate, candidate's committee, political action  
11 committee or sponsors of a ballot proposition, by use of  
12 verbal threats of physical violence or any form of economic  
13 or official retaliation.

14

15           (b) It is not a defense to a prosecution under this  
16 section that the defendant did not in fact possess the  
17 ability to carry out the threat made.

18

19           **Section 2.** W.S. 22-17-101(a)(v), 22-26-101(a)(x),  
20 22-26-111(a) and 22-26-112(a) by creating a new paragraph  
21 (xi) are amended to read:

22

1           **22-17-101. Right to contest elections; exception;**  
2 **grounds.**

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4           (a) A qualified elector may contest the right of a  
5 person declared elected to an office in the elector's  
6 county, municipality, district or precinct, other than the  
7 office of state legislator, United States president and  
8 vice-president and presidential elector, on the following  
9 grounds:

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11           (v) The person whose election is contested  
12 violated the provisions of W.S. 22-26-101 through ~~22-26-121~~  
13 22-26-122.

14

15           **22-26-101. Felony offenses generally.**

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17           (a) The following acts in connection with or related  
18 to the election process or an election, if knowingly and  
19 willfully committed, are felony offenses punishable by not  
20 more than five (5) years' imprisonment in the state  
21 penitentiary or a fine of not more than ten thousand  
22 dollars (\$10,000.00), or both:

23

1           (x) Aggravated election intimidation under W.S.  
2 22-26-111;

3

4           **22-26-111. Aggravated election intimidation.**

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6           (a) Aggravated election intimidation consists of:

7

8                   (i) Inducing, or attempting to induce, fear in  
9 an election official or elector by use ~~of threats~~ of force,  
10 violence, harm or loss, ~~or any form of economic~~  
11 ~~retaliation, for the purpose of impeding or preventing~~ with  
12 the intent to impede or prevent the free exercise of the  
13 elective franchise or the impartial administration of the  
14 Election Code; or

15

16                   (ii) Soliciting the contribution of funds, other  
17 items of value or election assistance to the campaign of  
18 any candidate, candidate's committee, political action  
19 committee or sponsors of a ballot proposition, by use ~~of~~  
20 ~~threats~~ of physical violence. ~~or any form of economic or~~  
21 ~~official retaliation.~~

22

23           **22-26-112. Misdemeanor offenses generally.**

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2 (a) Unless a different penalty is specifically  
3 provided in this code, the following acts, if knowingly and  
4 willfully committed, are misdemeanor offenses punishable by  
5 not more than six (6) months in a county jail or a fine of  
6 not more than one thousand dollars (\$1,000.00), or both:

7

8 (xi) Election intimidation under W.S. 22-26-122.

9

10 **Section 3.** W.S. 22-26-111(b) is repealed.

11

12 **Section 4.** This act is effective July 1, 2024.

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14

(END)