

## HOUSE BILL NO. HB0140

University of Wyoming governance-elected trustees.

Sponsored by: Representative(s) Rodriguez-Williams, Andrew, Bear, Jennings and Ward and Senator(s) Biteman, French, Ide, Laursen, D and Steinmetz

A BILL

for

1 AN ACT relating to the University of Wyoming board of  
 2 trustees; increasing the members of the board of trustees;  
 3 providing for election of trustees as specified; specifying  
 4 election requirements; making conforming amendments;  
 5 specifying requirements for the initial election and  
 6 initial terms of elected trustees; specifying expiration of  
 7 existing appointed trustee terms; specifying requirements  
 8 for appointment and terms of appointed trustees after the  
 9 2024 general election; and providing for an effective date.

10

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

12

13 **Section 1.** W.S. 21-17-201, 21-17-202(a), (b) and by  
 14 creating a new subsection (c), 22-2-101(a) by creating a

1 new paragraph (xi), 22-2-104(e), 22-5-101, 22-5-208(c),  
 2 22-6-125(a) by creating a new paragraph (ix) and by  
 3 renumbering (ix) through (xiv) as (x) through (xv),  
 4 22-6-128, 22-18-111(a)(intro) and (b), 22-22-101,  
 5 22-22-102(a) and (c), 22-22-201 by creating a new  
 6 subsection (c), 22-22-202(a), 22-22-301, 22-22-302 and  
 7 22-22-304(a)(i), (ii) and (iv) are amended to read:

8

9 **21-17-201. Composition; appointment and election of**  
 10 **members; qualifications of members; members ex officio;**  
 11 **quorum.**

12

13 The government of the university is vested in a board of  
 14 ~~twelve (12)~~ nineteen (19) trustees, with fourteen (14)  
 15 voting trustees and five (5) ex officio, nonvoting  
 16 trustees. Seven (7) of the voting trustees shall be  
 17 appointed by the governor, ~~no two (2) of whom may be~~  
 18 ~~residents of the same county of the state~~ Seven (7) of the  
 19 voting trustees shall be elected as provided by law. At  
 20 least one (1) voting trustee shall be appointed by the  
 21 governor, and at least one (1) voting trustee shall be  
 22 elected, from each appointment district ~~pursuant to as~~  
 23 designated in W.S. 9-1-218. Not more than seventy-five

1 percent (75%) of the ~~members of the board~~ appointed  
2 trustees shall be registered in the same political party.  
3 The governor, the president of the university, the director  
4 of the Wyoming community college commission, the state  
5 superintendent of public instruction and the president of  
6 the associated students of the university are ~~members~~-ex  
7 officio trustees, having the right to speak, but not to  
8 vote. A majority of the board is a quorum.

9

10 **21-17-202. Term; vacancies; appointment of**  
11 **successors; vacancies; members of faculty disqualified;**  
12 **removal.**

13

14 (a) Except as otherwise provided by law for the  
15 initial trustees appointed by the governor after the 2024  
16 general election, the term of office of the appointed  
17 trustees ~~appointed~~ is six (6) years. During each session of  
18 the legislature, the governor shall nominate, and with the  
19 advice and consent of the senate, appoint successors to  
20 those appointed trustees whose term of office has expired  
21 or will expire before the next session of the legislature.  
22 Any vacancy in the ~~board of~~ appointed trustees caused by  
23 death, resignation, removal from the state or otherwise,

1 shall be filled by appointment by the governor as provided  
2 in W.S. 28-12-101. No member of the faculty, while holding  
3 that position, shall ever be appointed a trustee. The  
4 governor may remove any appointed trustee as provided in  
5 W.S. 9-1-202.

6  
7 (b) ~~Effective July 1, 1979~~ Except as otherwise  
8 provided by law for the trustees appointed by the governor  
9 after the 2024 general election, appointments and terms for  
10 the appointed trustees shall be in accordance with W.S.  
11 28-12-101 through 28-12-103.

12  
13 (c) Except as otherwise provided by law for the  
14 initial elected trustees, the term of office of the elected  
15 trustees is four (4) years. Any vacancy under the  
16 circumstances provided by W.S. 22-18-101 of an elected  
17 trustee shall be filled within thirty (30) days by action  
18 of the remaining trustees. A person chosen to fill a  
19 vacancy shall serve until the next election of University  
20 of Wyoming trustees. An election shall then be held to  
21 fill any unexpired term.

22

1           **22-2-101. Applicability and construction of Election**  
2 **Code generally.**

3  
4           (a) Chapters 1 through 28 of this Election Code apply  
5 to the following elections:

6  
7                   (xi) University of Wyoming board of trustees  
8 elections.

9  
10           **22-2-104. Election dates.**

11  
12           (e) The election of members of the board of trustees  
13 of each school district, ~~and~~ community college district and  
14 the elected University of Wyoming trustees shall be held  
15 for each district and the University of Wyoming on the  
16 first Tuesday after the first Monday in November in general  
17 election years.

18  
19           **22-5-101. How candidates nominated.**

20  
21 Nominations of candidates for all offices filled at a  
22 general election, except school and community college  
23 district offices, the elected University of Wyoming

1 trustees and special district offices, may be made by  
2 primary election, by petition for nomination as an  
3 independent candidate as provided in W.S. 22-5-301 through  
4 22-5-308 or by convention as provided in W.S. 22-4-303 and  
5 22-4-406.

6

7 **22-5-208. Filing fees; exception.**

8

9 (c) A filing fee shall not be required of candidates  
10 for special district director, school district trustee,  
11 community college trustee, elected University of Wyoming  
12 trustee, precinct committeeman or precinct committeewoman.

13

14 **22-6-125. Order of offices and ballot propositions on**  
15 **nonpartisan ballots.**

16

17 (a) The nonpartisan ballot shall contain the offices  
18 and ballot propositions to be voted on in the following  
19 order:

20

21 (ix) Candidates for elected University of  
22 Wyoming board of trustees;

23

1           ~~(ix)~~(x) Candidates for special district  
2 directors;

3

4           ~~(x)~~(xi) Candidates for other offices of county  
5 subdivisions;

6

7           ~~(xi)~~(xii) Constitutional amendments;

8

9           ~~(xii)~~(xiii) Initiative propositions;

10

11           ~~(xiii)~~(xiv) Referendum propositions;

12

13           ~~(xiv)~~(xv) Other ballot propositions.

14

15           **22-6-128. Ballots for other elections.**

16

17 At the county clerk's discretion, separate ballots for  
18 bond, school and community college districts, the elected  
19 University of Wyoming board of trustees and special  
20 district elections may be required and shall be provided by  
21 the authority responsible for holding the election. Ballots  
22 shall conform as nearly as possible to general requirements

1 specified by law for the general election ballot, except as  
2 otherwise specifically provided.

3

4 **22-18-111. Vacancies in other offices; temporary**  
5 **appointments.**

6

7 (a) Any vacancy in any other elective office in the  
8 state except representative in congress, ~~or~~ the elected  
9 board of trustees of a school ~~or~~ district, community  
10 college district or the University of Wyoming, shall be  
11 filled by the governing body, or as otherwise provided in  
12 this section, by appointment of a temporary successor. The  
13 person appointed shall serve until a successor for the  
14 remainder of the unexpired term is elected at the next  
15 general election and takes office on the first Monday of  
16 the following January. Provided, if a vacancy in a four  
17 (4) year term of office occurs in the term's second or  
18 subsequent years after the first day for filing an  
19 application for nomination pursuant to W.S. 22-5-209, no  
20 election to fill the vacancy shall be held and the  
21 temporary successor appointed shall serve the remainder of  
22 the unexpired term. The following apply:

23



1           (b) The trustees of a school or community college  
2 district or the University of Wyoming shall fill ~~a~~an  
3 elected office vacancy ~~in office~~ by temporary appointment  
4 in a manner provided by law. If the trustees of a school or  
5 community college district or the University of Wyoming  
6 fail to appoint a person qualified to hold the office to  
7 fill ~~a~~an elected office vacancy within thirty (30) days  
8 from the date the vacancy occurs, or if, for any reason,  
9 the entire membership of the board of trustees of a school  
10 or community college district or the University of Wyoming  
11 is depleted, the board of county commissioners of the  
12 county or counties involved, within ten (10) days of either  
13 occurrence, shall appoint a person qualified to hold the  
14 office to fill each elected office vacancy until the next  
15 election at which time an election shall be held to fill  
16 the unexpired term, and each appointee shall serve until  
17 his successor is elected and qualified. Each appointee  
18 shall be a resident of the appointment district, trustee  
19 residence area, or election subdistrict, if any, previously  
20 represented.

21

22

## CHAPTER 22

23

## SCHOOL AND COLLEGE ELECTIONS

1

2           **22-22-101. Cost of school or community college**  
3 **district or the University of Wyoming board of trustees**  
4 **elections.**

5

6 The cost of a school or community college district or the  
7 University of Wyoming's board of trustees election or  
8 equitably proportioned shares of a concurrent election as  
9 determined by the county clerk shall be paid by the  
10 appropriate board from the funds of the school district, ~~or~~  
11 the community college district or the University of  
12 Wyoming.

13

14           **22-22-102. Date of election of trustees; terms.**

15

16           (a) The election of members of the board of trustees  
17 of each school district, ~~and~~ each community college  
18 district and the University of Wyoming shall be held at the  
19 regular polling places for each district on the Tuesday  
20 next following the first Monday in November in general  
21 election years, except as otherwise provided by law. Terms  
22 of office shall run for four (4) years beginning at 12:00

1 noon on the first day in December following the election,  
2 except as otherwise provided by law.

3

4 (c) Not more than a simple majority of members of the  
5 board of trustees of each school district, ~~and~~ each  
6 community college district and the seven (7) elected  
7 members of the University of Wyoming shall be elected at  
8 any election unless the election is to fill an unexpired  
9 term. This subsection shall not apply to the election of  
10 the initial board of a community college district, ~~or~~ the  
11 first regular election of a community college district  
12 board or the initial election of the seven (7) elected  
13 University of Wyoming trustees.

14

15 **22-22-201. Eligibility for office.**

16

17 (c) A qualified elector resident in an appointment  
18 district designated in W.S. 9-1-218(b) is eligible to hold  
19 the office of an elected University of Wyoming trustee for  
20 that appointment district as provided in W.S. 21-17-201.

21

22 **22-22-202. Filing of application; form.**

23

1           (a) A qualified elector may be nominated for the  
 2 office of school district trustee, ~~or~~ member of a community  
 3 college board or elected University of Wyoming trustee by  
 4 filing an application for election in the office of the  
 5 county clerk not more than ninety (90) nor less than  
 6 seventy (70) days prior to the election. The application  
 7 shall be in substantially the following form:

8

9           APPLICATION FOR ELECTION FOR SCHOOL, ~~OR~~ COMMUNITY COLLEGE  
 10   OR UNIVERSITY OF WYOMING TRUSTEE

11

12 I, the undersigned, swear or affirm that I was born on  
 13 ....., ....(year), and that I have been a resident of the  
 14 State of Wyoming since ....., and that I am a registered  
 15 voter of the .... appointment district designated by W.S.  
 16 9-1-218(b) and 21-17-201 for the elected University of  
 17 Wyoming's trustees or of the school district or community  
 18 college district (and resident of trustee residence area or  
 19 subdistrict ....., if any), residing at ....., and I do  
 20 hereby request that my name, ....., be printed on the ballot  
 21 of the election to be held on the .... day of .....,  
 22 ....(year), as a candidate for the office of .... for a

1 term of .... years. I hereby declare that if I am elected,  
2 I will qualify for the office.

3

4 Dated: ....

5

6 ..... (Signature of Candidate)

7

8 .... Name as it is to appear on the ballot

9

10

ARTICLE 3

11

SCHOOL, COMMUNITY COLLEGE OR UNIVERSITY OF

12

WYOMING ELECTION PROCEDURE

13

14

**22-22-301. Definitions.**

15

16 As used in this article ~~including W.S. 22-22-301 through~~  
17 ~~22-22-308, inclusive,~~ the term "district" refers to a  
18 community college district board or a school district board  
19 of trustees.

20

21

**22-22-302. Conduct of elections.**

22

1 Unless specifically otherwise provided, a school or  
2 community college district or the University of Wyoming  
3 trustee election shall be governed by the laws regulating  
4 statewide elections and in even-numbered years be conducted  
5 and canvassed by the same election officials, using the  
6 same poll lists, and at the same times and polling places,  
7 as county elections.

8

9 **22-22-304. Ballot information; format.**

10

11 (a) The official ballot shall contain the following  
12 information:

13

14 (i) The name of the school district, ~~or~~  
15 community college district or the appointment district  
16 designated in W.S. 9-1-218(b) for elected University of  
17 Wyoming trustees as provided in W.S. 21-17-201;

18

19 (ii) The county or counties in which the  
20 district or appointment district is located;

21

22 (iv) In districts divided into trustee residence  
23 areas or subdistricts, the trustee residence area or

1 subdistrict of each candidate and the number to be elected  
2 from each trustee residence area or subdistrict. For the  
3 elected University of Wyoming trustees, the counties  
4 included in the appointment district and the number to be  
5 elected from the appointment district designated in W.S.  
6 9-1-218(b);

7

8 **Section 2.**

9

10 (a) The terms of the seven (7) University of Wyoming  
11 trustees elected at the first regular election after the  
12 effective date of this act shall begin as provided by W.S.  
13 22-22-102(a). The four (4) elected trustees receiving the  
14 highest number of votes at the election shall serve four  
15 (4) year terms and the elected trustees receiving the next  
16 three (3) highest number of votes at the election shall  
17 serve two (2) year terms. Thereafter, all terms shall be  
18 for four (4) years in accordance with W.S. 21-17-202(b).

19

20 (b) Notwithstanding any other provision of the law,  
21 the terms of the twelve (12) existing appointed trustees  
22 shall expire at 11:59 a.m. on the first day in December  
23 following the 2024 general election. As provided by W.S.

1 28-12-101, the governor shall appoint seven (7) trustees to  
2 the University of Wyoming board of trustees. As designated  
3 by the governor, four (4) appointed trustees shall serve  
4 six (6) year terms and three (3) appointed trustees shall  
5 serve three (3) year terms. Thereafter, all terms shall be  
6 for six (6) years in accordance with W.S. 21-17-202(a).

7

8       **Section 3.** This act is effective immediately upon  
9 completion of all acts necessary for a bill to become law  
10 as provided by Article 4, Section 8 of the Wyoming  
11 Constitution.

12

13

(END)