

HOUSE BILL NO. HB0249

Runoff elections.

Sponsored by: Representative(s) Neiman, Andrew, Kelly and
Rodriguez-Williams and Senator(s) Boner and
McKeown

A BILL

for

1 AN ACT relating to elections; requiring a runoff election
2 after a primary election for specified offices when no
3 candidate receives a majority of the vote; providing the
4 format of the runoff ballot; changing the date for primary
5 elections; amending related dates; clarifying maintenance
6 of voter registration lists; making conforming changes;
7 amending election contribution laws; creating an account;
8 providing an appropriation; requiring a report; and
9 providing for effective dates.

10

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

12

13 **Section 1.** W.S. 22-5-601 is created to read:

14

15

ARTICLE 6

1 RUNOFF ELECTIONS

2

3 **22-5-601. Runoff elections for nominations.**

4

5 (a) For nominations for governor, secretary of state,
6 state treasurer, state auditor, state superintendent of
7 public instruction and any federal office, a runoff
8 election shall be held with respect to that nomination if
9 no candidate, including any write-in candidate, receives
10 more than fifty percent (50%) of the votes cast for the
11 respective partisan office on the primary ballot. The
12 candidates in the runoff election shall be the two (2)
13 candidates who received the highest number of votes in
14 their respective partisan primary election except:

15

16 (i) If more than two (2) candidates in a
17 partisan primary election for the offices specified in this
18 subsection tie for the highest number of votes in the
19 primary election, the state canvassing board shall cast
20 lots to determine which two (2) shall be runoff election
21 candidates;

22

1 (ii) If two (2) or more candidates in a partisan
2 primary election for the offices specified in this
3 subsection tie for the second highest number of votes in
4 the primary election, the state canvassing board shall cast
5 lots to determine who shall be the second candidate in the
6 runoff election; or

7
8 (iii) If a partisan primary election is for a
9 majority party that has issued a resolution to not
10 participate in runoff elections that was passed by the
11 state party not later than December 31 of the immediately
12 preceding odd numbered year and certified by the secretary
13 of state.

14
15 (b) Notwithstanding W.S. 22-5-401, if any candidate
16 eligible to be in a runoff election withdraws, dies or is
17 determined ineligible before the runoff election, that
18 candidate shall be ineligible for the runoff election and
19 the two (2) remaining eligible candidates receiving the
20 highest number of votes in accordance with subsection (a)
21 of this section shall be the candidates in the runoff
22 election.

23

1 (c) If required under this section, runoff elections
2 shall be held on the first Tuesday after the second Monday
3 in August in general election years.

4

5 (d) The candidate who receives the highest number of
6 votes in the runoff election shall be nominated.

7

8 (e) In the event of a tie in a runoff election, the
9 state canvassing board shall cast lots in the manner
10 prescribed by W.S. 22-16-119.

11

12 (f) To the extent this section conflicts with other
13 sections of this Election Code, this section shall apply.

14

15 (g) All costs incurred in carrying out a runoff
16 election under this section shall be borne by the secretary
17 of state, who shall reimburse the county treasurer for the
18 costs paid by the county for the runoff election.

19

20 (h) There is created the runoff election account.
21 Funds in the account shall not revert and are continuously
22 appropriated to the secretary of state for costs related to
23 administering May primary elections and runoff elections as

1 provided in this section. The state treasurer shall invest
2 funds within the account in accordance with law. All
3 investment earnings from the account shall be deposited in
4 the general fund.

5
6 **Section 2.** W.S. 22-1-102(a)(xxx)(E) and (lii),
7 22-2-101(a)(ii), 22-2-104(b), (d) and by creating a new
8 subsection (f), 22-2-108, 22-2-109(a), 22-2-111(a),
9 22-2-113(e), 22-3-102(a)(intro) and by creating a new
10 subsection (f), 22-3-109(a), 22-4-402(a) and (e), 22-5-101,
11 22-5-209, 22-5-215, 22-5-219(a) and by creating new
12 subsections (c) and (d), 22-6-101, 22-6-102(a), 22-6-105,
13 22-6-107, 22-6-119(a) by creating a new paragraph (ix),
14 22-7-101, 22-8-101(a), (b) and (d), 22-8-116, 22-16-102(a),
15 22-16-103(c)(i), 22-16-106(a) and (b), 22-16-118,
16 22-16-121(a), 22-16-122(c) and (f), 22-17-102(a)(intro),
17 22-22-202(a), 22-23-303, 22-25-101(d)(i)(C),
18 22-25-102(c)(i)(B), (j) and (m), 22-25-104, 22-25-105(a),
19 22-25-106(a)(i), (b)(i), (h)(intro) and (ii), 22-25-107(b),
20 22-26-113(a)(intro) and 22-29-110(a) and (b) are amended to
21 read:

22
23 **22-1-102. Definitions.**

1

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

7

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

11

12 (E) If a person ~~removes~~moves to another
13 state with the intent of making it his residence, he loses
14 his residence in Wyoming; except that in a general election
15 year, if his registration is valid in Wyoming when he
16 leaves this state and he is unable to qualify under the
17 laws of his new state of residence to vote at the primary
18 or general election, he shall be deemed to have retained
19 residence in Wyoming for purposes of voting by absentee
20 ballot in the primary, runoff or general election;

21

22 (lii) "Unsuccessful candidate" means a person
23 who did not win the election but whose name was printed on

1 the ballot and who received one (1) or more votes in the
2 primary or runoff election;

3

4 **22-2-101. Applicability and construction of Election**
5 **Code generally.**

6

7 (a) Chapters 1 through 28 of this Election Code apply
8 to the following elections:

9

10 (ii) Primary elections and runoff elections;

11

12 **22-2-104. Election dates.**

13

14 (b) Except for primary elections for the governor,
15 secretary of state, state treasurer, state auditor, state
16 superintendent of public instruction and any federal
17 office, a primary election shall be held at the regular
18 polling places for each precinct on the first Tuesday after
19 the ~~third~~second Monday in August in general election years
20 for the nomination of candidates for partisan and
21 nonpartisan offices to be filled at the succeeding general
22 election and for the election of major party precinct
23 committeemen and committeewomen.

1

2 (d) Every bond election shall be held ~~on the same day~~
3 ~~as a primary election or a general election, or~~ on the
4 first Tuesday after the first Monday in May or November.~~7~~
5 ~~or on the first Tuesday after the third Monday in August.~~

6

7 (f) For primary elections for the governor, secretary
8 of state, state treasurer, state auditor, state
9 superintendent of public instruction and any federal
10 office, a primary election shall be held at the regular
11 polling places for each precinct on the first Tuesday after
12 the first Monday in May in general election years if the
13 office will be filled at the succeeding general election.
14 If required under W.S. 22-5-601, a runoff election for the
15 specified office shall be held at the regular polling
16 places for each precinct on the first Tuesday after the
17 second Monday in August in general election years.

18

19 **22-2-108. Secretary of state to certify officers to**
20 **be elected.**

21

22 ~~Between the twenty-fourth day of April and the third day of~~
23 ~~May in each general~~ Not less than one hundred (100) days

1 and not more than one hundred ten (110) days before each
2 primary election, ~~year,~~ the secretary of state shall
3 transmit to the county clerk of each county a certified
4 list stating what officers, other than county and precinct
5 officers, are to be nominated or elected at the election.

6

7 **22-2-109. County clerk to publish proclamation.**

8

9 (a) ~~Between one hundred one (101) and ninety-one (91)~~
10 ~~days before each primary election.~~ The county clerk in each
11 county shall publish a proclamation under this section for
12 each of the May and August primary elections. The
13 proclamations for the primary elections shall be published
14 between ninety-one (91) and eighty-one (81) days before the
15 applicable primary election. Each proclamation under this
16 subsection shall be published at least once in a newspaper
17 of general circulation in the county and post in the county
18 clerk's office and at the place where each municipality
19 within the county regularly holds its council meetings. ~~a~~
20 ~~proclamation setting~~ Each proclamation under this
21 subsection shall set forth the date of the election, the
22 offices to be filled at the election including the terms of
23 the offices, the number of persons required by law to fill

1 the offices, the filing deadline for the offices and the
2 requirements for filing statements of campaign
3 contributions and expenditures. ~~The~~ Each proclamation shall
4 also include the aforementioned information regarding
5 offices to be filled at the general election, the date that
6 a runoff election would occur, if necessary, and any other
7 pertinent primary election information. In addition, the
8 description of any ballot proposition submitted to the
9 voters of the state, a political subdivision thereof,
10 county or other district shall be included.

11

12 **22-2-111. Employees time off to vote.**

13

14 (a) Any person entitled to vote at any primary,
15 runoff or general election or special election to fill a
16 vacancy in the office of representatives in the congress of
17 the United States is, on the day of such election, entitled
18 to absent himself from any service or employment in which
19 he is then engaged or employed for a period of ~~one (1) hour~~
20 two (2) hours, other than meal hours, the hour being at the
21 convenience of the employer, between the time of opening
22 and closing of the polls. Such elector shall not, because

1 of so absenting himself, lose any pay, providing he
2 actually casts his legal vote.

3

4 **22-2-113. Availability and form of registry lists;**
5 **use of copies; election record; purging.**

6

7 (e) The county clerks shall purge and update voter
8 registration information on the voter registration system
9 not later than the fifteenth day of February ~~each~~following
10 a general election year and shall notify the secretary of
11 state upon completion, but not later than February 15 of
12 ~~each~~the year following a general election year.

13

14 **22-3-102. Qualifications; temporary registration.**

15

16 (a) Except as provided in subsection (f) of this
17 section, a person may register to vote not less than
18 fourteen (14) days before an election, at any election
19 specified in W.S. 22-2-101(a)(i) through (viii) or as
20 provided by W.S. 22-3-117, who satisfies the following
21 qualifications:

22

1 (f) To qualify as an eligible voter in a runoff
2 election required by W.S. 22-5-601, the person shall be a
3 registered voter in the jurisdiction where a runoff
4 election is being held and shall be registered in the same
5 political party for which they were present to vote at the
6 time of the applicable primary election, including voters
7 who registered at the polls at the May primary election.
8 This subsection shall not prevent a person from registering
9 to vote under subsection (a) of this section for the August
10 primary election if the person was not registered to vote
11 at the time of the May primary election and did not
12 register at the polls at the May primary election.

13
14 **22-3-109. Certification and transmittal of poll**
15 **lists; posting of registry lists.**

16
17 (a) Not less than ten (10) days before any election,
18 the county clerk shall certify and transmit to the officer
19 in charge of each election at his request the necessary
20 poll lists for the precincts or areas involved in the
21 election. Not less than ten (10) days prior to the primary
22 and general elections the county clerks shall upon request
23 deliver ~~up to three (3)~~ a poll ~~lists~~ list for each precinct

1 in the county to the county chairman of each political
2 party in the respective counties.

3

4 **22-4-402. Petition; form; validity.**

5

6 (a) Any group of persons desiring to form a new
7 political party within this state shall file a petition
8 with the secretary of state not later than ~~June~~February 1
9 in any general election year in which the party seeks to
10 qualify for the general election ballot.

11

12 (e) The petition shall be circulated no earlier than
13 ~~April~~January 1 of the year preceding the general election.

14

15 **22-5-101. How candidates nominated.**

16

17 Nominations of candidates for all offices filled at a
18 general election, except school and community college
19 district offices and special district offices, may be made
20 by primary or runoff election as applicable, by petition
21 for nomination as an independent candidate as provided in
22 W.S. 22-5-301 through 22-5-308 or by convention as provided
23 in W.S. 22-4-303 and 22-4-406.

1

2 **22-5-209. Time for filing nomination applications;**
3 **certified list.**

4

5 An application for nomination shall be filed not more than
6 ~~ninety-six (96)~~ ninety (90) days and not later than
7 ~~eighty-one (81)~~ eighty (80) days next preceding the
8 applicable primary election as specified in W.S.
9 22-2-104(b) and (f). Not later than ~~sixty-eight (68)~~
10 seventy-five (75) days before a primary election, the
11 secretary of state shall transmit to each county clerk a
12 certified list of persons whose applications have been
13 filed in the office of the secretary of state stating as to
14 each his name, age, address, office sought and party
15 affiliation.

16

17 **22-5-215. Nomination of partisan candidates and**
18 **write-in candidates.**

19

20 Except as provided in W.S. 22-5-601, on each party ballot
21 the candidate or candidates equal in number to the number
22 to be elected to each office who receive the largest number
23 of votes shall be nominated and shall be entitled to have

1 their names printed on the ballot for the next general
2 election. A write-in candidate shall not be nominated and
3 shall not be entitled to have his name printed on the
4 ballot for the next general election unless he received at
5 least twenty-five (25) write-in votes in the primary
6 election and is a registered voter in the political party
7 for which he was nominated on the day of the primary
8 election. An unsuccessful candidate for office at a primary
9 election whose name is printed on any party ballot may not
10 accept nomination for the same office at the next general
11 election.

12

13 **22-5-219. Further action by nominees or elect not**
14 **required; exception.**

15

16 (a) Candidates nominated ~~and major party precinct~~
17 ~~committeemen and committeewomen elected~~ at a primary or
18 runoff election shall be deemed nominated ~~or elected~~
19 without further action. ~~In addition, each write-in~~
20 ~~candidate nominated at a primary election shall comply with~~
21 ~~the provisions of W.S. 22-16-106.~~

22

1 (c) Major party precinct committeemen and
2 committeewomen elected at the August primary election shall
3 be deemed elected without further action.

4
5 (d) Each write-in candidate nominated at a primary or
6 runoff election shall comply with the provisions of W.S.
7 22-16-106.

8
9 **22-6-101. Certification of candidates nominated;**
10 **printing of names.**

11
12 Not less than sixty (60) days before each general election
13 the secretary of state shall transmit to each county clerk
14 under party headings a certified list of the name and
15 address of each person nominated by primary or runoff
16 election as indicated by the state canvass, the name of
17 each person nominated by provisional or minor party
18 convention, the name of each independent candidate
19 qualifying for nomination by petition, and the office
20 sought. The names of these candidates shall be printed on
21 the official ballot of the general election.

22
23 **22-6-102. County clerk to print ballots; exception.**

1

2 (a) The county clerk shall print official ballots for
3 ~~his~~the county, for all primary, runoff, general and
4 special elections.

5

6 **22-6-105. Sample ballots; publication.**

7

8 The officer providing the official ballots shall publish
9 sample ballots at least once in a newspaper of general
10 circulation in the district in which each primary, runoff
11 and general election is held within two (2) weeks prior to
12 the election. This notice shall also state that the names
13 of candidates will be rotated on the official ballots and
14 will not always appear in the order indicated in the sample
15 ballots.

16

17 **22-6-107. Time for possession of ballots and labels.**

18

19 (a) Official ballots for primary, runoff and general
20 elections shall be in the county clerk's possession
21 forty-five (45) days before the election. If a clerk is
22 unable to obtain ballots on time, the secretary of state

1 shall provide by rule and regulation for the clerk to
2 obtain and use substitute ballots.

3
4 (b) Notwithstanding subsection (a) of this section,
5 county clerks shall make official absentee ballots for
6 primary, runoff and general elections available to voters
7 with rights under the Uniformed and Overseas Citizens
8 Absentee Voting Act, 42 U.S.C. 1973ff, and future acts
9 amendatory or supplemental thereto, forty-five (45) days
10 before the election.

11
12 **22-6-119. Format of primary ballot.**

13
14 (a) The primary ballot of each major political party
15 shall be printed in substantial compliance with this
16 format:

17
18 (ix) If a runoff election is required pursuant
19 to W.S. 22-5-601, the runoff election shall be listed on
20 the political party election ballot for which the runoff
21 election is required, under the heading of "Runoff
22 Election".

1 **22-7-101. Election districts.**

2

3 The board of county commissioners with the advice or
4 recommendation of the county clerk, no later than ~~its first~~
5 ~~meeting in May~~ the third Tuesday in January in every
6 general election year shall divide the county into not more
7 than thirty (30) election districts. Each district shall
8 be designated by number. Election districts shall be
9 changed only at this designated meeting.

10

11 **22-8-101. Notice of election officials needed; county**
12 **chairmen to submit list of names; municipal clerks list of**
13 **names appointment.**

14

15 (a) Not later than the ~~third first~~ Tuesday of ~~April~~
16 February in each general election year, each county clerk
17 shall notify the county chairmen of the major and minor
18 political parties in the county of the number of election
19 judges and counting board members and alternates needed for
20 the ensuing two (2) year term.

21

22 (b) Not later than the ~~third first~~ Tuesday of ~~May~~
23 March in each general election year the county chairman of

1 each major and minor political party in each county may
2 certify to the county clerk a list of registered electors
3 residing in the county and affiliated with the party, and a
4 list of persons who are at least sixteen (16) years of age
5 who otherwise meet all requirements for qualification as an
6 elector, who are willing to serve as a judge of election or
7 as a member of a counting board.

8
9 (d) Not later than ~~June 30~~ March 31, the county clerk
10 on each general election year shall appoint judges of
11 election and counting boards and alternates from lists
12 submitted by the county chairmen of the major and minor
13 political parties.

14
15 **22-8-116. Compensation.**

16
17 Judges of election and members of counting boards shall be
18 compensated for services at a rate to be determined by the
19 board of county commissioners ~~at the June~~ not later than
20 the board's March meeting and stated on the notice sent to
21 each nominee. The rate shall be not less than the state
22 minimum wage. Compensation shall begin one (1) hour before
23 a member assumes his duties. The election official who

1 delivers the returns shall receive additional compensation
2 for necessary travel beyond ten (10) miles at the rate
3 authorized for county employees. If a flat rate is paid,
4 said sum shall not be less than the state hourly minimum
5 wage multiplied by the number of hours the polls are open
6 plus one (1) hour.

7

8 **22-16-102. Abstract of vote; returns not filed.**

9

10 (a) The county clerk shall prepare an abstract of the
11 vote of all precincts in the county following a county
12 primary, runoff, special or general election. The abstract
13 shall contain all items required in W.S.
14 22-16-103(c)(viii).

15

16 **22-16-103. County canvass procedures.**

17

18 (c) The county canvassing board shall:

19

20 (i) Meet as soon as all returns have been
21 received and abstracted, but if any provisional ballots
22 have been cast in the county, not before the time has
23 passed for provisional voters to document their eligibility

1 to register or to vote. The board shall meet at a time and
2 place designated by the county clerk, but no later than the
3 ~~first Friday~~ second Wednesday following the election;

4
5 **22-16-106. Write-in candidates.**

6
7 (a) Each write-in candidate nominated at a primary or
8 runoff election, who has not previously filed an
9 application for nomination shall accept nomination by
10 filing an application for nomination and paying the filing
11 fee in the office in which he would have been required to
12 file an application for nomination to that office.

13
14 (b) The chief election officer shall notify a
15 write-in candidate who has been nominated at a primary or
16 runoff election within forty-eight (48) hours after the
17 canvassing board meets. Notification may be delivered by
18 United States postal service or other generally accepted
19 mail delivery method to the last known address of the
20 write-in candidate, email or other electronic means that
21 provide actual notice to the write-in candidate, or service
22 as provided under the Wyoming Rules of Civil Procedure.
23 Each notification provided under this section shall inform

1 the write-in candidate that failure to timely respond will
2 result in forfeiture of nomination. Failure of the
3 successful write-in candidate to accept the nomination in
4 the manner prescribed in subsection (a) of this section
5 within five (5) days after delivery, attempted delivery or
6 service under the Wyoming Rules of Civil Procedure, as
7 computed pursuant to W.S. 22-2-110, results in the
8 successful write-in candidate not appearing on the general
9 election ballot, but does not result in a vacancy which can
10 be filled.

11

12 **22-16-118. Meeting of state canvassing board.**

13

14 The state canvassing board shall meet no later than the
15 ~~second~~third Wednesday following the election. The
16 secretary of state shall send a messenger to obtain
17 official county abstracts not filed in a reasonable length
18 of time. The canvassing board shall meet at the time and
19 place set by the secretary of state. The board shall review
20 the state abstracts prepared by the secretary of state,
21 compare them with the tabulation and materials prepared by
22 the secretary of state, resolve any tie votes, and certify
23 the abstract as the official state canvass.

1

2 **22-16-121. Certificates of nomination and election**
3 **following state or county canvass.**

4

5 (a) When the state canvass is concluded, the
6 secretary of state shall issue a certificate of nomination
7 to each candidate nominated at a primary or runoff election
8 and certify the names of nominees as provided in W.S.
9 22-6-101. If a runoff election is required under W.S.
10 22-5-601, not later than two (2) days following the state
11 canvassing board meeting for the primary election, the
12 secretary of state shall provide notice of the runoff
13 election and nominations to the county clerks. When the
14 county canvass is concluded, the county clerk shall issue a
15 certificate of nomination to each candidate nominated at a
16 primary election or by petition.

17

18 **22-16-122. Election declared null and void; special**
19 **election.**

20

21 (c) If only certain precincts are allowed to vote in
22 the special election, the votes received in the special
23 election shall be added to the unofficial results not

1 declared null and void for that office from the initial
2 primary, runoff or general election or other special
3 election.

4

5 (f) The special election shall be held if necessary
6 no later than the third Tuesday after the primary, runoff,
7 general or other special election and may be held by a
8 special mail ballot election as provided in W.S. 22-16-123.
9 The special election shall be conducted by the county clerk
10 as nearly as possible in the manner of a primary, runoff or
11 general election, except only those registered in the
12 precinct at the close of polls on the election day of the
13 primary, runoff, general or other special election in
14 question shall be permitted to vote in the special
15 election. If the election is held as a special mail ballot
16 election, the election shall be held as provided in W.S.
17 22-16-123.

18

19 **22-17-102. Commencement by verified petition;**
20 **contents.**

21

22 (a) Election contests for all primary and runoff
23 election offices and all general election offices other

1 than state legislators, United States president and
2 vice-president and presidential elector, may be commenced
3 by the contestant filing with the clerk of the district
4 court of the county, within fourteen (14) days after the
5 results of the election have been certified by the
6 canvassing board, a verified petition setting forth
7 specifically:

8
9 **22-22-202. Filing of application; form.**

10
11 (a) A qualified elector may be nominated for the
12 office of school district trustee or member of a community
13 college board by filing an application for election in the
14 office of the county clerk not more than ninety (90) nor
15 less than ~~seventy (70)~~ eighty (80) days prior to the
16 election. The application shall be in substantially the
17 following form:

18
19 APPLICATION FOR ELECTION FOR SCHOOL OR

20 COMMUNITY COLLEGE TRUSTEE

21
22 I, the undersigned, swear or affirm that I was born on
23,(year), and that I have been a resident of the

1 State of Wyoming since, and that I am a registered
2 voter of the school district or community college
3 district (and resident of trustee residence area or
4 subdistrict, if any), residing at, and I do
5 hereby request that my name,, be printed on the ballot
6 of the election to be held on the day of,
7(year), as a candidate for the office of for a
8 term of years. I hereby declare that if I am elected,
9 I will qualify for the office.

10

11 Dated:

12

13 (Signature of Candidate)

14

15 Name as it is to appear on the ballot

16

17 **22-23-303. Certification of candidates; names on**
18 **ballots.**

19

20 Not later than ~~sixty-eight (68)~~ seventy-five (75) days
21 prior to the primary election, the municipal clerk shall
22 certify to the county clerk the names of all qualified
23 candidates for nomination at the municipal primary election

1 and the office they seek. The number of municipal
2 candidates the voters are entitled to vote for at the
3 primary election is the number of candidates to be elected
4 to municipal offices at the general election.

5

6 **22-25-101. Definitions; statement of formation.**

7

8 (d) As used in this chapter:

9

10 (i) "Electioneering communication" means, except
11 as otherwise provided by paragraph (ii) of this subsection,
12 any communication, including an advertisement, which is
13 publicly distributed as a billboard, brochure, email,
14 mailing, magazine, pamphlet or periodical, as the component
15 of an internet website or newspaper or by the facilities of
16 a cable television system, electronic communication
17 network, internet streaming service, radio station,
18 telephone or cellular system, television station or
19 satellite system and which:

20

21 (C) Is made within thirty (30) calendar
22 days of a primary or runoff election, sixty (60) calendar
23 days of a general election or twenty-one (21) calendar days

1 of any special election during which the candidate or
2 ballot proposition will appear on the ballot; and

3

4 **22-25-102. Contribution of funds or election**
5 **assistance restricted; limitation on contributions; right**
6 **to communicate; civil penalty.**

7

8 (c) Except as otherwise provided in this section, no
9 individual other than the candidate, or the candidate's
10 immediate family shall contribute directly or indirectly:

11

12 (i) To any candidate for statewide political
13 office, or to any candidate for statewide political
14 office's candidate's campaign committee:

15

16 (B) Except as otherwise provided in this
17 subparagraph, no contribution for the general election may
18 be given prior to the date for the ~~primary~~runoff election.
19 This subparagraph shall not apply to any candidate
20 unopposed in the primary election, successfully nominated
21 at the primary election where a runoff election is not
22 required or nominated in accordance with W.S. 22-4-303 or
23 22-5-301.

1

2 (j) For purposes of subsection (c) of this section
3 the primary, runoff, general and special elections shall be
4 deemed separate elections. No candidate for political
5 office shall accept, directly or indirectly, contributions
6 which violate subsection (c) of this section.
7 Contributions to a candidate's campaign committee shall be
8 considered to be contributions to the candidate.
9 Subsection (c) of this section does not limit political
10 contributions by political parties, nor expenditures by a
11 candidate from his own funds nor from his candidate's
12 campaign committee funds.

13

14 (m) Except as otherwise provided in this section, no
15 political action committee shall contribute directly or
16 indirectly more than five thousand dollars (\$5,000.00) per
17 election to any candidate for political office other than
18 statewide political office. For purposes of this
19 subsection the primary, runoff, general and special
20 elections shall be deemed separate elections. No candidate
21 for political office shall accept, directly or indirectly,
22 contributions which violate this subsection. Contributions
23 to a candidate's campaign committee shall be considered to

1 be contributions to the candidate. This subsection does
2 not limit political contributions by political parties, nor
3 expenditures by a candidate from his own funds nor from his
4 candidate's campaign committee funds.

5

6 **22-25-104. Restriction on party funds in primary and**
7 **runoff elections.**

8

9 No political party funds shall be expended directly or
10 indirectly in the aid of the nomination of any one (1)
11 person as against another person of the same political
12 party running in ~~the~~a primary or runoff election.

13

14 **22-25-105. Campaign reporting forms; instructions and**
15 **warning.**

16

17 (a) The secretary of state shall prescribe the forms
18 for reporting contributions and expenditures for primary,
19 runoff, general and special election campaigns, together
20 with written instructions for completing the form and a
21 warning that violators are subject to criminal charges and
22 civil penalties if the forms are not completed and filed
23 pursuant to law. The forms along with instructions and

1 warning shall be distributed to the county clerk and shall
2 be made available, whether in electronic or paper form, by
3 the county clerk to each person filing an application for
4 nomination in his office and to each political action
5 committee and candidate's campaign committee required to
6 file with the county clerk.

7

8 **22-25-106. Filing of campaign reports.**

9

10 (a) Except as otherwise provided in subsections (g)
11 and (j) of this section and in addition to other reports
12 required by this subsection:

13

14 (i) Every candidate, whether successful or not,
15 shall file an itemized statement of contributions and
16 expenditures at least seven (7) days but not more than
17 fourteen (14) days before any primary, general or special
18 election, including a runoff election if applicable. Any
19 contribution received or expenditure made after the
20 statement has been filed, through the day of the election,
21 whether a primary, general or special election and
22 including a runoff election if applicable, shall be filed

1 as an amendment to the statement within ten (10) days after
2 the election;

3

4 (b) Reports of itemized statements of contributions
5 and expenditures, and statements of termination shall be
6 made with the appropriate filing officers specified under
7 W.S. 22-25-107 and in accordance with the following:

8

9 (i) Except as otherwise provided in this
10 section, any political action committee and candidate's
11 campaign committee, or any political action committee
12 formed under the law of another state that contributes to a
13 Wyoming political action committee or to a candidate's
14 campaign committee, that expends any funds in any primary,
15 runoff, general or special election, shall file an itemized
16 statement of contributions and expenditures at least seven
17 (7) days but not more than fourteen (14) days before any
18 primary, runoff, general or special election. Any
19 contribution received or expenditure made after the
20 statement has been filed, through the day of the election,
21 whether a primary, runoff, general or special election,
22 shall be filed as an amendment to the statement within ten
23 (10) days after the election;

1

2 (h) An organization that expends in excess of one
3 thousand dollars (\$1,000.00) in any primary, runoff,
4 general or special election to cause an independent
5 expenditure or electioneering communication to be made
6 shall file an itemized statement of contributions and
7 expenditures with the appropriate filing office under W.S.
8 22-25-107. The statement shall:

9

10 (ii) Be filed at least seven (7) days but not
11 more than fourteen (14) days before any primary, runoff,
12 general or special election. Any contribution received or
13 expenditure made after the statement has been filed,
14 through the day of the election, whether a primary, runoff,
15 general or special election, shall be filed as an amendment
16 to the statement within ten (10) days after the election;

17

18 **22-25-107. Where reports to be filed.**

19

20 (b) Reports required to be filed at least seven (7)
21 days before any primary, runoff, general or special
22 election shall be filed electronically.

23

1 **22-26-113. Electioneering too close to a polling**
2 **place.**

3
4 (a) Electioneering too close to a polling place or
5 absentee polling place under W.S. 22-9-125 when voting is
6 being conducted, consists of any form of campaigning,
7 including the display of campaign signs or distribution of
8 campaign literature, the soliciting of signatures to any
9 petition or the canvassing or polling of voters, except
10 exit polling by news media, within one hundred (100) yards
11 on the day of a primary, runoff, general or special
12 election and within one hundred (100) feet on all other
13 days, of any public entrance to the building in which the
14 polling place is located. This section shall not apply to
15 bumper stickers affixed to a vehicle while parked within or
16 passing through the distance specified in this subsection,
17 provided that:

18

19 **22-29-110. County clerk to publish proclamation;**
20 **filing period.**

21

22 (a) Between one hundred one (101) and ninety-one (91)
23 days before an organizational election held in conjunction

1 with ~~a~~an August primary or other August election, between
2 ninety (90) and seventy (70) days before an organizational
3 election held in conjunction with a May, general, November
4 or mail ballot election held at any other time, the county
5 clerk shall publish at least once in a newspaper of general
6 circulation in each county in which all or part of the
7 proposed district is situated a proclamation setting forth
8 the date of the election, what county clerk is the filing
9 officer, the question of formation, what offices are to be
10 filled including the terms of the offices, the
11 filing period for the offices and other pertinent election
12 information. Minor errors in the proclamation shall not
13 invalidate the forthcoming election.

14

15 (b) Between ninety-six (96) and eighty-one (81) days
16 before a formation election held in conjunction with ~~a~~an
17 August primary or other August election, between ninety
18 (90) and seventy (70) days before a formation election held
19 in conjunction with a May, general, November or mail ballot
20 election held at any other time, candidates may file an
21 application for election in the office of the county clerk.
22 The principal act shall determine who is eligible to be a

1 candidate. The application shall be in substantially the
2 following form:

3

4

APPLICATION FOR ELECTION

5

SPECIAL DISTRICT DIRECTOR

6

7 I, the undersigned, swear or affirm that I was born on
8, (year); that I have been a resident of district
9 since, residing at; that I am an elector
10 or landowner (check which one for eligibility) of said
11 district and I do hereby request that my name,, be
12 printed on the ballot of the formation (or other) election
13 to be held on day of, (year) as a candidate for
14 the office of director for a term of years. I hereby
15 declare that if I am elected, I will qualify for the
16 office.

17

18 Dated

19

20

21 Signature of Candidate

22

1 **Section 3.** The joint corporations, elections and
2 political subdivisions interim committee shall review the
3 dates for primary elections and runoff elections as
4 specified in sections 1 and 2 of this act. The committee
5 shall consult with the secretary of state and county clerks
6 to determine whether the dates for primary elections and
7 runoff elections will give sufficient time for candidates
8 to register in an election year following the redistricting
9 of the legislature. If the committee determines that the
10 dates will not give sufficient time for candidates to
11 register in an election year following the redistricting of
12 the legislature, the committee shall make recommendations
13 for alternative dates of runoff or primary elections or
14 make any other recommendations for statutory revisions that
15 the committee determines would allow for a runoff election
16 in election years following the redistricting of the
17 legislature. The committee shall report the results of the
18 review under this section to management council not later
19 than October 1, 2026.

20

21 **Section 4.** There is appropriated two million dollars
22 (\$2,000,000.00) from the general fund to the runoff
23 election account as created by W.S. 22-5-601(h) in section

1 1 of this act. This appropriation shall not revert as
2 provided by W.S. 22-5-601(h). The secretary of state may
3 request appropriations to the account in the agency's
4 biennial budget request submitted under W.S. 9-2-1013 as
5 necessary to implement May primary elections and runoff
6 elections under W.S. 22-5-601 as created by section 1 of
7 this act.

8

9 **Section 5.**

10

11 (a) Except as provided in subsection (b) of this
12 section, this act is effective immediately upon completion
13 of all acts necessary for a bill to become law as provided
14 by Article 4, Section 8 of the Wyoming Constitution.

15

16 (b) Sections 1, 2 and 4 of this act are effective
17 July 1, 2025.

18

19 (END)