



HB0052

Elections-hand counting for recounts.

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

AN ACT relating to elections; providing a process for certain recounts to be conducted by hand counting the votes; authorizing the secretary of state and county clerks to require recounts as specified; providing for hand counts to be requested by candidates as specified; specifying the costs of recounts; clarifying when a counting board is required to be appointed; amending dates related to elections; amending provisions related to election recount judges; requiring the completion of a hand count by the county clerk of each county in the 2026 primary and general elections; specifying requirements for the hand count; requiring rulemaking; creating an account; making conforming amendments; providing appropriations; and providing for effective dates.

1/20/2026 Bill Number Assigned
1/22/2026 H Received for Introduction
2/9/2026 H Introduced and Referred to H07 - Corporations 46-16-0-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Brady, Bratten, Brown, G, Brown, L, Campbell, K, Connolly, Erickson, Filer, Fornstrom, Geringer, Guggenmos, Haroldson, Heiner, Hoeft, Johnson, Kelly, Knapp, Larson, Jt, Lawley, Lien, Locke, Lucas, Mccann, Neiman, Ottman, Pendergraft, Riggins, Rodriguez-Williams, Schmid, Singh, Smith, Strock, Styvar, Tarver, Washut, Wasserburger, Webb, Webber, Wharff, Williams, Winter

Nays: Representative(s) Byron, Campbell, E, Chestek, Clouston, Davis, Harshman, Jarvis, Larsen, L, Nicholas, Posey, Provenza, Sherwood, Storer, Thayer, Wylie, Yin

Ayes 46 **Nays** 16 **Excused** 0 **Absent** 0 **Conflicts** 0

2/11/2026 H07 - Corporations:Recommend Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Brown, G, Hoeft, Johnson, Knapp, Locke, Lucas, Webb, Webber

Nays: Representative Yin

Ayes 8 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/11/2026 :Rerefer to H02 - Appropriations

2/12/2026 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Angelos, Bear, Haroldson, Pendergraft, Sherwood, Smith, S

Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/12/2026 H Placed on General File

HB0052HW001/WITHDRAWN

HB0052HW002/WITHDRAWN

HB0052HW003/ADOPTED

Delete the Yin committee of the whole amendment (HB0052HW001/A) and the Heiner committee of the whole amendment (HB0052HW0002/A) entirely and further amend as follows:

Page 1-line 7 After "appointed;" insert "amending dates related to elections; amending provisions related to election recount judges; requiring the completion of a hand count by the county clerk of each county in the 2026 primary and general elections; specifying requirements for the hand count;".

Page 1-line 9 Delete "an effective date" and insert "effective dates".

Page 1-line 13 Before "22-8-102" insert "22-2-104(b) and (d), 22-8-101(d),".

Page 1-line 15 After "22-14-114(a)," insert "22-16-103(c) (i),".

Page 2-line 2 After "(b)" delete "and" and insert ",".

Page 2-line 3 After "(c)" insert "and 22-16-118".

Page 2-after line 18 Insert:

"22-2-104. Election dates.

(b) A primary election shall be held at the regular polling places for each precinct on the first Tuesday after the ~~third~~first Monday in August in general election years for the nomination of candidates for partisan and nonpartisan offices to be filled at the succeeding general election and for the election of major party precinct committeemen and committeewomen.

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

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

(d) Not later than June 30, the county clerk on each general election year shall appoint judges of election and counting boards and alternates from lists submitted by the county chairmen of the major and minor political parties. This subsection shall not apply to judges appointed to conduct recounts in accordance with W.S. 22-16-109 through 22-16-113.".

Page 6-after line 9 Insert:

"22-16-103. County canvass procedures.

(c) The county canvassing board shall:

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

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

Page 14-line 22 After "board" strike balance of line.

Page 14-line 23 Strike "22-16-109(b)".

Page 15-line 3 After "22-16-109(d)" insert "or required by W.S. 22-16-109(b)".

Page 15-after line 5 Insert:

"22-16-118. Meeting of state canvassing board.

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

Page 15-after line 8 Insert and renumber as necessary:

"Section 3.

(a) In addition to the audits required under W.S. 22-6-130 and 22-11-109, each county clerk shall conduct a hand count audit of actual ballots cast on election day following the 2026 primary and 2026 general elections. Each county clerk shall conduct a hand count audit of the ballots for one (1) federal race and one (1) statewide race as selected by the secretary of state. The secretary of state shall notify the county clerk of each county which races shall be audited not later than close of business on the Wednesday following the election. The secretary of state may select different federal and statewide races to be audited for each county, but in no instance shall the secretary of state select more than one (1) federal race and one (1) statewide race per county. In addition to the races selected by the secretary of state, the county clerk shall conduct a hand count audit of each legislative race printed on the ballot. The county canvassing board may audit additional races in addition to those selected by the secretary of state pursuant to the requirements of this section. The results of each hand count audit and the electronic count shall be compared to determine if there were any inconsistencies or errors in the electronic voting system count.

(b) Notwithstanding any other law, for the 2026 primary and general elections, a judge of election shall not be a member of a counting board at the same election except as provided by W.S. 22-8-108(d) or for purposes of a hand count audit under this section.

(c) Pursuant to the requirements of subsection (a) of this section, for the 2026 primary and general elections, the county canvassing board shall select a requisite number of electronic tabulating machines whose cumulative number of ballots cast on election day totals as close to five percent (5%) of the total number of ballots cast in the respective county as possible. The county clerk shall audit the ballots tabulated by those electronic tabulating machines selected by the county canvassing board and compare the ballots to

the hand count audit result. The hand count audit shall be conducted not later than nine (9) days after the county canvass.

(d) Each hand count audit conducted under this section shall be conducted as follows:

(i) The county clerk shall appoint audit boards prior to the conclusion of the county canvass but shall not be required to appoint the boards by the deadline set in W.S. 22-8-101(d). The county clerk may appoint as many audit boards as necessary, provided that each audit board shall be made up of not less than three (3) qualified electors with not greater than two (2) judges per audit board being from the same political party;

(ii) In addition to any races selected by the county canvassing board, audit boards appointed by the county clerk shall audit those races selected by the secretary of state and each legislative office printed on the ballot. The audit boards appointed by the county clerk shall audit those races on ballots that were tabulated by the equipment selected by the county canvassing board;

(iii) Audit boards appointed by the county clerk under this section shall tabulate each mark, undervote or overvote as would be counted by electronic tabulating equipment according to the instructions printed on the ballot.

(e) Any inconsistencies or errors between the original count tabulated by the electronic tabulating machines and the hand count audit required under this section shall be reported to the secretary of state not less than nine (9) days after the date of the county canvass.

(f) Any ballot inconsistencies or counting errors between the original electronic ballot count and the hand count audit required under this section discovered during the hand count audit process shall be reported to the secretary of state and the joint corporations, elections and political subdivisions interim committee on or before May 1, 2027."

Page 15-line 10 Delete "**Section 3.**" and insert "**Section 4.**".

Page 15-line 15 Delete entirely and insert:

"Section 5.

(a) Except as provided by subsection (b) of this section, this act is effective January 1, 2027.

(b) Sections 3 and 5 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". HAROLDSON

2/19/2026 H COW:Passed
2/20/2026 H 2nd Reading:Passed
2/21/2026 H 3rd Reading:Laid Back

HB0052H3001/FAILED (CORRECTED COPY)

Delete the Haroldson committee of the whole amendment (HB0052HW003/A) entirely and further amend as follows:

Page 1-above line 1 In the catch title, delete "for recounts".

Page 1-line 1 Delete "a process".

Page 1-line 2 Delete line through "by" and insert "the"; after "counting" delete "the" and insert "of".

Page 1-line 3 Delete "authorizing" and insert "providing duties for"; after "clerks" insert ";".

Page 1-lines 4 through 6 Delete entirely.

Page 1-line 7 Delete "required to be appointed;"; delete "creating an".

Page 1-line 8 Delete "account;" and insert "establishing statewide standards related to the handling and counting of ballots; providing for the reconciling of ballot numbers; prohibiting the use of voting machines for casting or tabulating ballots; revising requirements for the post-election ballot audit; revising offenses related to elections; providing penalties; repealing conflicting provisions; providing legislative findings; specifying applicability;".

Page 1-after line 11 Insert:

"Section 1.

(a) The legislature finds that:

(i) Public confidence in election outcomes depends on processes that are transparent, verifiable, pure and secure;

(ii) The use of electronic tabulation and electronic voting systems has created concerns in the public regarding election oversight, transparency, security and cost;

(iii) Manual tabulation and counting of paper ballots under uniform statewide standards will increase election accuracy, transparency and voter trust;

(iv) Wyoming elections should rely on processes that can be observed, audited, and replicated by citizens;

(v) It is necessary to repeal statutory authorizations for electronic tabulation and e pollbooks and to establish statewide standards for manual tabulation and counting that maintain flexibility for improved counting methods over time.

(b) The purpose of this act is to transition all Wyoming elections to paper ballots that are manually counted in public view under uniform statewide standards ensuring purity of the vote, transparency, security, accuracy, accessibility and public confidence.

Section 2. W.S. 22-6-201 through 22-6-210 are created to read:

ARTICLE 2
MANUAL BALLOT COUNTING AND AUDITING

22-6-201. Paper ballots and design standards.

(a) All votes shall be cast on paper ballots that are:

(i) Able to be read by a human;

(ii) Able to be manually tallied or hand countable;

(iii) Designed in accordance with the requirements of this Election Code and with statewide standards established by rule of the secretary of state in accordance with this Election Code. The secretary of state shall use the USCase.org "Gold Standard Elections" white paper guidelines to adopt rules under this paragraph.

(b) Ballots shall contain only text and marks that can be interpreted by human inspection without the aid of electronic tabulation devices.

(c) Ballots shall include security features sufficient to prevent unauthorized duplication or substitution of ballots as specified by rule of the secretary of state.

(d) Accessible voting devices permitted under federal law to comply with the Help America Vote Act of 2002, P.L. 107 252, shall be used only to produce one (1) ballot per voter that shall be able to be read by a human and that shall be manually counted in the same manner as all other ballots.

22-6-202. Ballot security, custody, transport and storage.

(a) The secretary of state shall adopt uniform statewide standards for the secure production, transport, storage and accounting of ballots that are consistent with the provisions of this article.

(b) Each county clerk shall maintain a documented chain of custody for all ballots and election materials from printing or receipt of the ballots through final storage of the ballots after the election.

(c) Every transfer of custody of ballots and election materials shall be recorded with the date, time, persons involved and the seal or container number, if applicable.

(d) All ballots and election materials shall be stored in sealed containers under continuous video surveillance for not less than twenty four (24) months after the election.

(e) All records and recordings described in this section are public records, subject to reasonable protection of:

(i) Personal voter information as required by law;

(ii) Ballot security details as determined by rule of the secretary of state as necessary to ensure the security of elections.

22-6-203. Publicly conducted manual counting of ballots.

(a) Manual counting of ballots shall be conducted in public view at the designated counting centers for each county or precinct.

(b) Observers from political parties, candidates and the public shall be permitted to observe the manual counting of ballots under conditions established by rule of the secretary of state that allow meaningful observation of the counting process without interference.

(c) Areas where counting is occurring shall be recorded with video and audio equipment, and recordings of the counting shall be retained by the county clerk for not less than sixty (60) months. Recordings under this subsection shall be made publicly available on the website of the county clerk.

(d) Before counting begins under this section, election judges shall verify publicly that all containers are sealed, shall note the seal numbers and shall document the total number of ballots received by ballot category as provided in W.S. 22 6 204(b) (v).

(e) Counting shall begin as soon as practicable after the closing of the polls and shall continue without undue delay until all ballots are fully tallied, counted, reconciled and reported.

(f) Count totals by precinct and ballot type shall be made public not later than one (1) hour after the completion of counting under this section.

22-6-204. Statewide standards for manual counting of ballots.

(a) All ballots shall be counted by hand using a nationally recognized hand counting methodology and in accordance with uniform statewide counting standards adopted by the secretary of state. The secretary of state shall use the USCase.org "Gold Standard Elections" white paper guidelines to adopt rules under this subsection.

(b) The uniform statewide counting standards adopted by the secretary of state shall include at minimum:

(i) Ballot security features to prevent the use of fraudulent printers and duplication systems;

(ii) Counting teams, including not less than four (4) members of not less than two (2) different political affiliations, with balanced representation of political parties to the extent practicable;

(iii) Oaths of impartiality administered to all counting personnel;

(iv) Standardized training in ballot handling, determining voter intent, dispute resolution, tally recording, reconciliation and custody documentation;

(v) Requiring ballots to be separated and counted in three (3) categories:

(A) Absentee voting;

(B) Early voting;

(C) In person voting on the day of election.

(vi) Independent tallies by not less than two (2) recorders per team, reconciled and signed before finalizing the vote count;

(vii) Batch processing procedures allowing verification and identification of discrepancies;

(viii) Reconciliation of ballots at each transfer of ballots, including matching totals of issued, cast, spoiled, provisional and unused ballots;

(ix) Documentation linking all tally sheets, reconciliation forms and chain of custody records;

(x) Requiring all documentation to be duplicated and available to be held as copies by head judges;

(xi) Requiring uniform incident logging for errors, corrections and disputes;

(xii) Prohibiting the use of any apparatus that automatically examines and counts votes recorded on paper ballots or ballot cards and tabulates the results. Nothing in this paragraph shall prohibit the use of simple calculators that are used solely for arithmetic operations to sum manually counted tallies.

(c) Each county shall use a manual counting method that is consistent with the uniform statewide counting standards under this section and that is approved by the secretary of state.

22-6-205. Counting for absentee voting, early voting and provisional ballots.

(a) Ballots from absentee voting and early voting shall be separately verified, stored by precinct and counted under the same security and manual counting standards as ballots from in person voting on the day of election.

(b) The outer envelope for each absentee ballot shall be logged upon receipt with a unique identifier, date and time and voter record linkage. Poll books shall be updated to reflect the receipt of the absentee ballot.

(c) Signatures and voter eligibility shall be verified before separation of the ballot from identifying information.

(d) Ballots failing verification shall be documented, segregated and excluded from counting pending review by election judges.

(e) Verified ballots shall be manually counted and included in precinct level results.

(f) Provisional ballots shall be stored separately and shall be manually counted after eligibility is confirmed.

22-6-206. Timelines for counting; reporting of results.

(a) Manual counting shall begin as soon as practicable after the close of polls and shall continue without undue delay until all ballots are fully tallied, counted, reconciled and reported.

(b) The secretary of state may authorize by rule an early start of counting for ballots cast and secured prior to election day, subject to secrecy and custody restrictions. The secretary of state shall use the USCase.org "Gold Standard Elections" white paper guidelines to adopt rules under this subsection.

(c) Each county clerk shall report verified precinct results to the secretary of state as soon as practicable after counting is complete. The secretary of state may establish counting and reporting timelines by rule that are consistent with the requirements of this article.

(d) Counties shall complete counting within the time limits established under subsection (c) of this section, except in extraordinary circumstances documented in the public record.

22-6-207. Rulemaking; training.

(a) The secretary of state shall adopt rules necessary to implement this article, including establishing uniform statewide standards for ballot design, chain of custody, manual counting, reconciliation, training and public observation. The secretary of state shall use the USCase.org "Gold Standard Elections" white paper guidelines to adopt rules under this subsection.

(b) The secretary of state shall establish a standardized curriculum for county clerks to train election officials, judges and counting teams.

(c) Training sessions conducted under this section shall be open to the public for observation. No person shall conduct counting activities under this article unless the person has completed the training required under this section.

22-6-208. Meetings and notice requirements.

(a) Except as provided in subsection (e) of this section, any meeting of the county clerk or the secretary of state concerning the counting, auditing, canvassing or recounting of ballots shall be publicly noticed not less than seven (7) calendar days before the meeting.

(b) Notice under subsection (a) of this section for a meeting of the county clerk shall be posted on the county website, at the county clerk's office and shall be published in a newspaper of general circulation in the county.

(c) For county matters, the county clerk shall provide notice of the meeting to the chairmen of all major political parties within the county.

(d) For state matters, the secretary of state shall provide notice of the meeting to the state chairmen of all major political parties recognized in Wyoming.

(e) Emergency meetings may be held only to address urgent issues and shall be publicly noticed as soon as practicable with a statement of the emergency that required the emergency meeting.

(f) All meetings under this section shall be open to the public. Any minutes or recordings of a meeting under this section shall be made available to the public not later than seventy two (72) hours after the adjournment of the meeting.

22-6-209. Recounts.

(a) Any recount required by law shall be performed manually in accordance with the same standards and procedures as the initial count.

(b) Recounts shall be conducted publicly, recorded on video and audio as provided by W.S. 22 6 203(c) and the recordings shall be retained for not less than eight (8) years.

22-6-210. Prohibited practices and penalties.

(a) No person shall use electronic voting equipment including, but not limited to, tabulators, automated counting equipment, e pollbooks or scanners in any election conducted under this article. Nothing in this subsection shall prohibit the use of simple calculators that are used solely for arithmetic operations to sum manually counted tallies.

(b) Any election official or county clerk who knowingly violates this article or rules adopted under this article shall be a misdemeanor punishable by a fine of not more than five thousand dollars (\$5,000.00) per violation. Nothing in this subsection shall prohibit prosecution for any violation of chapter 26 of this title resulting from a violation of this article.

(c) The attorney general or any county attorney may enforce this section through civil or criminal proceedings."

Page 1-lines 13 through 15 Delete entirely.

Page 2-lines 1 through 3 Delete entirely and insert:

"Section 3. W.S. 22-1-102(a)(xi), (xxii), (xxxii), (xxxiv)(B), (xlii), (xlix) and by creating new paragraphs (lvii) through (lxx), 22-2-121(b) and (g), 22-3-113(a), 22-3-117(a)(i) and (ii), 22-5-202, 22-6-115, 22-6-119(a)(iii), 22-6-121(a), 22-6-122, 22-6-130, 22-8-108(b) and (c), 22-8-113, 22-8-115(a), 22-9-109(a), 22-9-121(c)(i), 22-12-103, 22-12-107(a)(x), 22-12-115, 22-13-103(b), 22-13-110, 22-14-102, 22-14-107, 22-14-113(b), 22-14-114(a), 22-15-105(a), 22-15-109(b), 22-16-103(c)(iv), 22-16-109(a), 22-16-122(a)(intro) and (c), 22-21-109, 22-22-203(b), 22-22-302, 22-26-103, 22-26-105, 22-26-106(a) by creating a new paragraph (v), 22-26-112(a) by creating a new paragraph (xi), 22-26-113(a)(intro), 22-26-114, 22-26-119 and 22-29-114(e)(intro) are amended to read:".

Page 2-after line 11 Insert:

"(xi) "Counting center" or "hand counting center" is the location or locations designated precinct established by the county clerk for the automatic tabulating and manual counting and tallying of ballots;

(xxii) "Pollbook" means a paper book, or hardware, software or any combination thereof commonly referred to as an electronic pollbook, used in a polling place on election day containing information specified by law;

(xxxii) "Tally sheet" means the ~~document used to tabulate hand counted paper ballots~~ official form used by counting teams and tally judges to record vote totals for each candidate and ballot measure and that are required to be signed by all team members participating in the manual count;

(xxxiv) "Voting device" means:

(B) A device for marking the ballots with ink or another substance; ~~or~~".

Page 2-line 13 After "Recount" insert "or "manual recount""; delete "counting of ballots by".

Page 2-line 14 Delete "hand or the"; strike "processing of ballots through the tabulation".

Page 2-line 15 Strike "system for an additional time or times"; strike "for the".

Page 2-line 16 Strike entirely.

Page 2-line 17 Strike "race, based upon the criteria of W.S. 22-16-109".

Page 2-line 18 Delete "through 22-16-113" and insert "second or subsequent counting of ballots performed by hand to verify results or resolve discrepancies as required by law".

Page 2-after line 18 Insert:

"(xlix) "Vote center" means a polling place at which any registered elector in the political subdivision holding the election may vote, regardless of the precinct in which he resides; ~~, connected through secure internet connections to provide voting information to and receive voting information from the electronic pollbook maintained by the county clerk and used as an option to traditional polling places at the discretion of the county clerk;~~

(lvii) "Ballot reconciliation" means the process of comparing the total number of ballots that are issued, cast, spoiled, voted as provisional ballots and that are unused ballots to verify that the totals match the number of ballots originally received by a precinct or counting center;

(lviii) "Chain of custody" means the continuous documentation of the possession, transfer and storage of ballots and related election materials from printing through final archival storage;

(lix) "Counting team" means a group of trained election workers assigned to manually count ballots in public view;

(lx) "Early voting" means absentee voting before election day where an elector requests a ballot in person from the county clerk, completes the ballot on site and returns the ballot to the clerk by hand;

(lxi) "Election judge" means a person appointed and sworn under Wyoming law to oversee and manage the conduct of elections, including counting, custody and reconciliation of ballots and certification of results;

(lxii) "Election worker" means a paid or unpaid volunteer assisting with duties necessary to conduct an election, including ballot handling and manual counting of ballots;

(lxiii) "Hand counting" or "manual counting" means the process of reading and tallying votes on paper ballots by human inspection;

(lxiv) "Provisional ballot" means a ballot cast by a voter whose eligibility to vote has not been verified;

(lxv) "Public observation" means members of the public, poll watchers and representatives of political parties authorized to be present and observe counting and reconciliation activities without interfering with the conduct of the election;

(lxvi) "Reconciliation record" means the written document that shows the verification of ballot totals at each stage of the election process, including the total number of ballots procured, issued, collected and counted;

(lxvii) "Tally judge" means an election judge responsible for verifying and recording vote totals from counting teams, reconciling independent tallies and certifying precinct results for transmittal to the county clerk;

(lxviii) "USCase.org "Gold Standard Elections" white paper guidelines" means the USCase.org "Gold Standard Elections" white paper guidelines as revised on April 11, 2025 or thereafter and published on the website of the United States council on accurate and secure elections;

(lxix) "Voter ballot security," "voter ballot secrecy," "vote security" or "vote secrecy" means that the ballot is kept secret for the period beginning the moment the voter picks up a ballot through the moment the voter puts the ballot in the ballot box. "Voter secrecy" shall not include any requirement to keep a ballot secret after the ballot is deposited in the ballot box or any requirement to protect the handwriting of the voter;

(lxx) "Voter intent standard" means criteria established by rule of the secretary of state to use the USCase.org "Gold Standard Elections" white paper guidelines to determine a voter's intended choice on a ballot when markings are unclear or incomplete and that is required to be applied uniformly across all counties."

Page 2-lines 20 through 23 Delete entirely.

Page 3-lines 1 through 8 Delete entirely and insert:

"22-2-121. Chief election officer to prepare forms; rules; advice.

(b) The secretary of state shall promulgate such rules as are necessary to maintain uniform manual voting and ~~vote~~manual counting procedures and to provide for orderly voting. The secretary of state shall use the USCase.org "Gold Standard Elections" white paper guidelines to adopt rules under this subsection.

(g) The secretary of state shall adopt rules and regulations that allow for the ~~counting of ballots at a central counting center. The rules shall specify procedures for delivering ballots to the central counting center~~ manual

counting of ballots at a hand counting center. The secretary of state shall use the USCase.org "Gold Standard Elections" white paper guidelines to adopt rules under this subsection.

22-3-113. Disposition of pollbooks after polls close.

(a) After the polls are closed, judges of the election shall ~~make~~confirm ~~that the~~ printed pollbooks agree and shall return one (1) pollbook to the county clerk.

22-3-117. Absentee registration generally; use of federal postcard.

(a) Notwithstanding any other section or provision in this chapter, any citizen of the United States who is a resident of Wyoming may apply for registration by providing the information required by W.S. 22-3-103(a), acceptable identification, proof of United States citizenship and proof of residence and by completing and subscribing the form of voter registration oath prescribed by W.S. 22-3-103(b) before any person authorized by law to administer oaths. Each county clerk shall furnish the voter registration oath forms. The applicant shall mail or return the completed voter registration oath form to the county clerk in the county in which the applicant resides. In order to vote in the next election, the application must be received in the county clerk's office before the close of registration for that election, or:

(i) Be received by mail or email and processed by the county clerk during the closed period described in W.S. 22-3-102(a) if it is accompanied by an absentee ballot request for elections where a voter may register at the polls; or

(ii) Be made at the county clerk's office during the closed period described in W.S. 22-3-102(a) if the voter simultaneously votes at the county clerk's office; ~~or~~

22-5-202. Major political party participation; separate ballots; same time.

Major political parties shall participate in the primary election and each shall have a separate party ballot. The primary election of major political parties shall be held at the same time and at the same polling places and shall be conducted by the same election officials. The results of the primary election shall be counted manually in accordance with the procedures specified in this Election Code.

22-6-115. Specifications for paper ballots.

Official paper ballots shall be uniform in size, printed in black ink on good quality paper through which printing cannot be read. Ballots shall be white, ~~except as otherwise provided. On a voting machine each column or row containing the titles of offices and candidates for office shall be arranged~~ shall be formatted to indicate clearly the office for which a candidate is running and shall be suitable for manual counting in accordance with W.S. 22-6-201.

22-6-119. Format of primary ballot.

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

(iii) On the second line shall be printed the following instructions: "To vote for a person whose name is printed on the ballot, mark the square immediately adjacent to the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space provided for that purpose and mark the square immediately adjacent to the name of the person. Ballots will be manually counted.

22-6-121. Political party ballot position on general election ballot; order of candidates' names.

(a) Political party position shall be determined on the general election ballot according to the number of votes received by each party within the county for the office of representative in congress at the last preceding general election. The party receiving the highest number of votes shall appear first following the names of the offices to be voted for and other parties shall follow in the order of their respective numbers of such votes. The order of any provisional parties will be drawn by the secretary of state. Any independent candidates shall appear following the last party and shall be listed in alphabetical order, subject to rotation. When more than one (1) candidate is to be elected to a particular office, the names of candidates shall be printed in alphabetical order, subject to rotation, on all ballots. ~~for electronic and machine voting systems as defined by W.S. 22-1-102.~~

22-6-122. Rotation of candidates' names.

The names of candidates for each office shall be rotated on all ballots by precinct for all elections. In each county the name of each candidate shall appear substantially an equal number of times at the top, at the bottom, and in each intermediate place. ~~In a voting machine polling place,~~ If candidates for the same office occupy more than one (1) line on the voting machine ballot, the number of names appearing on each line shall be as nearly equal as possible.

22-6-130. Post-election ballot audit; ballot reconciliation.

(a) Each county clerk shall complete an audit of the county's unofficial election results by identifying and reviewing the smallest observable percentage not less than ten percent (10%) of the cast ballots in each contest in the county between the statewide candidates who received the most votes and the statewide candidates who received the second highest votes. ~~for each contest within the county not later than the first Thursday following a primary, special or general election.~~ Additional contests may be added to the audit at the discretion of the county clerk. ~~Using a formula developed by the University of Wyoming, each county clerk shall use the smallest observable percentage to determine a statistically significant sample size of the ballots to be audited under this section. To ensure the timely completion of this procedure under this subsection, the number of ballots audited shall not exceed five percent (5%) of the total number of ballots cast.~~

(b) Each county clerk shall ~~conduct an audit of the election using the statistically significant ballot sample size and the corresponding ballots for the contests selected for audit determined under subsection (a) of this section. Each county clerk shall provide the audit results to the secretary of state not later than one (1) day before the meeting of the state canvassing board as provided in W.S. 22-16-118~~ ensure that the total number of ballots is reconciled at each stage of the election process. Reconciliation includes determining:

(i) The starting number of ballots procured or printed in preparation for an election;

(ii) The starting number of ballots issued to each polling location;

(iii) The total number of ballots printed on demand, including any ballot produced by an accessible voting device permitted under federal law to comply with the Help America Vote Act of 2002, P.L. 107-252;

(iv) The number of ballots distributed by mail or in-person, categorized by whether the ballot was distributed for absentee voting, early voting or in-person voting on the day of the election;

(v) The number of ballots cast by any method;

(vi) The number of spoiled ballots;

(vii) The number of ballots remaining at the close of polls that were not issued or case; and

(viii) The number of provisional ballots.

(c) The total number of ballots accounted for under subsection (b) of this section shall equal the initial total of blank ballots provided, plus any ballot printed on demand as provided by paragraph (b)(iii) of this section. Reconciliation shall be conducted by hand and documented, ensuring no discrepancies exist before proceeding to the audit under subsection (a) of this section.

(d) If there is discrepancy in counting under subsection (a) of this section or in reconciliation under subsections (b) and (c) of this section, the secretary of state shall be immediately notified and an investigation shall be initiated by the county canvassing board to identify the cause of the discrepancy. If the reason for the discrepancy cannot be determined beyond a reasonable doubt the county canvassing board shall declare any affected part of the election results to be null and void and the provisions of W.S. 22-16-122 shall apply to the election.

(e) For purposes of this section, the audit under subsection (a) of this section shall include recording and verifying the votes cast for each race appearing on a ballot. Reconciliation under subsections (b) and (c) of this section means reconciling and confirming the total number of ballots issued compared to the number of ballots that were not issued, the number of ballots that were cast, the number of ballots that were spoiled and the number of provisional ballots.

(f) Each county clerk shall provide the audit results under subsection (a) of this section and the full and completed reconciliation of ballot totals under subsections (b) and (c) of this section to the secretary of state not later than three (3) days before the meeting of the state canvassing board as provided in W.S. 22-16-118. Audit results and reconciliation reports filed with the secretary of state under this subsection shall be made publicly available on the website of the secretary of state."

"(b) A counting board shall be appointed for each designated counting center in each county. ~~using an electronic voting system.~~ The board shall consist of at least seven (7) members who shall be the county clerk or his designated deputy, and three (3) members of each major political party appointed by the ~~county clerk~~ central committee of each party. Additional members may be appointed by the ~~county clerk~~ central committee of each party if deemed necessary by the county clerk but equal major party membership shall be assured. No more than one (1) person under the age of eighteen (18) may be appointed as to each counting board. All ballots shall be counted manually by the counting board.".

Page 4-line 2 Delete "appointed under subsection (a) of this section".

Page 4-lines 5 through 7 Strike entirely.

Page 4-line 8 Strike "election day as provided in W.S. 22-9-125(d)" and insert "22-9-206(b)".

Page 4-lines 10 through 21 Delete entirely and insert:

"22-8-113. Training schools; generally and payment for attending.

Not later than four (4) days before the primary and general election, the county clerk under the direction of the secretary of state shall conduct a training school for judges of election and members of counting boards to provide instruction in the performance of their duties. The training school, which is also open to the public, shall be held at the times and places announced by the county clerk, and the secretary of state shall prescribe the minimum curriculum for the school including manual hand counting procedures as provided in W.S. 22-6-207. Additional schools may be held at the discretion of the county clerk. ~~Unless training is otherwise provided to the satisfaction of the county clerk,~~ All judges of election and members of counting boards are obligated to attend at least one (1) such school. All judges and members of the counting board, unless the judge or member is volunteering, shall be paid not less than ten dollars (\$10.00) as determined by the board of county commissioners for attending a school.

22-8-115. Oath for election officials.

(a) An election official shall subscribe to this oath in writing before entering upon his duties at each election:

"I do solemnly swear (or affirm) that I will impartially and to the best of my knowledge and ability perform the election duties of my office or role. I will studiously endeavor to prevent all frauds, deceit and abuse in the application of the election laws of this state."

22-9-109. Form of absentee ballot.

(a) The absentee ballot shall be in the same form prescribed by law for the official ballot. ~~or a reasonable printed reproduction of the prescribed form for electronic ballots.~~

22-9-121. Examination of absentee ballot affidavit; rejection; voting ballots.

(c) If it is sufficient:

(i) In ~~a paper ballot~~ each precinct, the name of the absent elector shall be entered in the pollbook, the inner ballot envelope shall be opened by a judge of election and the ballots therein shall be removed. The ballot shall then be placed in the regular ballot box by a judge of election and manually counted in the same manner as other ballots;

22-12-103. Furnishing of booths.

The county clerk in all elections shall furnish each polling place with sufficient booths, paper ballots ~~or voting machines~~ and supplies to permit convenient and secret marking of ballots.

22-12-107. Materials for judges.

(a) Before election day the county clerk shall cause to be delivered to one (1) of the judges of election in each polling place the following materials:

(x) Materials necessary for hand counting ballots and other necessary supplies.

22-12-115. Examination of ballot box.

Not earlier than twenty-four (24) hours before the polls are open, the judges of election shall open and examine the ballot box to determine that it is empty and relock it with a tamper resistant device before the polls are open. The ballot box shall not again be opened until the polls are closed, ~~except when necessitated by operation of the voting equipment at the direction of the county clerk and only in the presence of two (2) or more election judges with different political party affiliations.~~ It shall not be removed from the presence of the judges of election or counting board until all ballots are counted and recorded as required by law and in the presence of two (2) or more election judges with different political party affiliation.

22-13-103. Preservation of order; privacy of voting booths.

(b) To protect the privacy of the voter, voting booths ~~and voting machines~~ shall be kept clear of all persons except voters marking ballots and election officials discharging their duties.

22-13-110. Entering write-in votes.

Write-in votes may be entered ~~on a voting machine~~ on the ballot in the manner indicated by instructions posted on the voting booth or ~~indicated on the voting machine~~ provided on the ballot.

22-14-102. Who may be present after all votes are cast and polls close; making pollbooks agree; counting votes.

After all the votes are cast and the polls are officially declared closed, only election judges and authorized observers as provided in W.S. 22-15-109 shall be permitted in a polling place. ~~When all ballots are cast, the machine shall be locked against further voting and sealed as prescribed by law. Except as otherwise provided by W.S. 22-14-114(b), election judges shall commence to count votes and shall continue without adjournment until counting is completed~~ Election judges shall ensure reconciliation of all ballots as provided in W.S.

22-6-130(b) and (c) and shall then secure all ballots within locked boxes secured with tamper proof devices for transfer to the precinct polling center. Hand counting of ballots shall commence immediately upon arrival at the counting center as provided in W.S. 22-6-201 through 22-6-210.

22-14-107. Tabulation of count.

The unofficial tabulation indicating the vote by precinct, based on hand count results, shall immediately be transmitted by the county clerk to the secretary of state. These unofficial tabulations shall be tabulated by the secretary of the state. The secretary of state shall provide procedures for such transmittal through rule and regulation.

22-14-113. Return of voting supplies.

(b) All voting supplies, ballot boxes, and voting machines hand counting materials and hand tallying materials shall be returned to the county clerk as soon as possible after the vote has been returned."

Page 5-lines 2 through 22 Delete entirely.

Page 6-lines 1 through 9 Delete entirely and insert:

"(a) ~~For ballots designed to be counted by machine, each individual vote shall be determined by the voting equipment and shall not be determined subjectively by human tabulation except when the intent of the voter is unmistakable but the ballot was received in such damaged, soiled, or other condition that it is rejected by the machine. The secretary of state may promulgate rules establishing standards for counting such ballots. For ballots not designed to be counted by machine,~~ Only votes clearly marked, as provided by W.S. 22-14-104 and rules promulgated pursuant to this code, shall be tallied. For write-in votes, names which are misspelled or abbreviated or the use of nicknames of candidates shall be counted for the candidate if the vote is obvious to the board counting team.

22-15-105. Challenged person may vote; generally.

(a) If a person offering to vote is challenged, and the challenge is not resolved in accordance with W.S. 22-15-106, an election judge shall offer the voter a ballot clearly marked "provisional" and which cannot be automatically tabulated shall be securely stored separately from other ballots. Provisional ballots shall be counted separately from other ballots after the voter has been verified by election officials.

22-15-109. Poll watchers; certification; qualification; authority; removal.

(b) A poll watcher shall belong to the political party he represents and shall be a registered elector residing in the county. A poll watcher shall serve only at the polling place designated on the certificate. A poll watcher is authorized to observe voter turn out, and registration and hand counting procedures and may make written memoranda but shall not challenge voters, conduct electioneering activities, interfere with ballot counting or disrupt the polling process.

22-16-103. County canvass procedures.

(c) The county canvassing board shall:

(iv) ~~Count and tabulate~~ Hand count and tally the votes on the provisional ballots which were determined to have been cast by qualified electors;".

Page 6-line 13 Strike "make a" and insert "perform a manual".

Page 6-line 16 Delete "under this subsection may" and insert "shall"; delete "by a" and insert "using the".

Page 6-lines 17 and 18 Delete entirely and insert "counting procedures provided in W.S. 22-6-101 through 22-6-210.".

Page 6-lines 20 and 21 Delete entirely.

Pages 7 through 15 Delete entirely and insert:

"22-16-122. Election declared null and void; special election.

(a) If a canvassing board is unable to determine which candidate has been elected or nominated, the canvassing board shall declare any part of the election results to be null and void as to that office and the county clerk shall call a special election to make a decision. For purposes of this section, a canvassing board shall be unable to determine which candidate is nominated or elected if there is a discrepancy reported under W.S. 22-6-130(d) and the discrepancy resulted in a material error in the election or if:

(c) If only certain precincts are allowed to vote in the special election, the votes received in the special election shall be hand counted and added to the unofficial results not declared null and void for that office from the initial primary, general election or other special election.

22-21-109. Supplies; regulations; costs.

The county clerk ~~may utilize voting machines or electronic voting systems shall~~ use paper ballots that are counted by hand at any bond election and may prescribe the form of the ballot, the duties of election officials, and other reasonable regulations pertaining thereto. The political subdivision holding the bond election shall pay the actual costs of the election or an equitably proportioned share of a concurrent election, as determined by the county clerk.

22-22-203. Determining validity of application; placement on ballot; procedure for multi-county districts.

(b) Each county clerk in each election involving a school or community college district which crosses county boundaries shall ~~determine whether voting machines, electronic voting system, paper ballots, or a combination thereof, shall be used to insure~~ use paper ballots that are counted by hand to ensure that each qualified elector votes only for the candidate or candidates from the school district and trustee residence area, if any, and from the community college district and subdistrict, if any, for which he is entitled to vote.

22-22-302. Conduct of elections.

Unless specifically otherwise provided, a school or community college district election shall be governed by the laws regulating statewide elections and in

even-numbered years be conducted and canvassed by the same election officials, using the same poll lists, using paper ballots that are counted by hand and at the same times and polling places, as county elections.

22-26-103. Unlawful opening of ballot box; tampering with ballot counting materials.

Unlawful opening of a ballot box or tampering with ballot counting materials consists of opening, inspecting, removing or altering the contents of a ballot box or ~~inspecting or removing the contents thereof~~ tampering with hand count records or tally sheets without lawful authority, or conspiring with others ~~to open a ballot box to violate the provisions of this section.~~

22-26-105. Unlawful possession of key.

Unlawful possession of a key consists of the possession at any time of a key to a ~~voting machine or~~ ballot box, ~~or making a duplicate thereof,~~ or tampering with a physical lock on a box that is securing ballots, unless authorized by law.

22-26-106. False voting.

(a) False voting consists of performing any of the following acts in connection with or related to the election process or an election:

(v) Changing voting results including by inserting unlawful ballots in a ballot box or by tampering with hand count records, hand count tally sheets, vote reconciliation forms or other official election logs.

22-26-112. Misdemeanor offenses generally.

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

(xi) Interfering with the hand counting of ballots or with the reconciliation of ballots and tally sheets.

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

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

22-26-114. Disturbing polling place.

Disturbing a polling place consists of creating any disorder or disruption at a polling place on election day, ~~or absentee polling place under W.S. 22-9-125,~~ or interfering with the orderly conduct of an election.

22-26-119. Violation of Election Code by officials.

Violation of the Election Code by an official consists of the ~~willful~~-violation of the Election Code by any official or by any deputy or assistant official, or the ~~willful~~-failure or refusal of any official or assistant to perform an act or duty required of him by the Election Code, including the failure to track ballot totals at any time starting at the beginning of the election, failure to ensure compliance with hand count procedures, tampering with hand count tally sheets or neglecting any duty for hand counting as prescribed by law. Any official, deputy or assistant who commits a violation of the Election Code is guilty of a felony and, in addition to the penalty prescribed by W.S. 22-26-101, is subject to removal from office in a proceeding instituted for that purpose.

22-29-114. Election procedures for elections other than mail ballot elections; canvass, recount and contests.

(e) Any special district election conducted by the county clerk shall be canvassed by the county canvassing board or a canvassing board appointed by the county clerk, consisting of two (2) electors and the county clerk. If more than one (1) county is involved, the election shall be canvassed in accordance with chapter 16 of the Wyoming Election Code of 1973, as amended, by a canvassing board drawn from the membership of the appropriate county canvassing boards appointed by the appropriate county commissioners. The commissioners shall notify the county clerks of the canvassing board appointments. Any special district election not conducted by a county clerk shall be canvassed by a special district canvassing board. The special district canvassing board shall consist of the district secretary and two (2) electors appointed by the district board. Any canvass shall be conducted in accordance with chapter 16 of the Wyoming Election Code of 1973, as amended. The canvass shall be conducted within seven (7) business days of the election and shall include a manual review of all hand counted ballots to ensure accuracy. The canvassing board shall have the authority to call for a special election in accordance with W.S. 22-16-122 if any discrepancies in the hand count are identified and cannot be resolved beyond a reasonable doubt. The canvassing board shall:

Section 4. W.S. 22-1-102(a) (i), (iii), (xiv), (xxxiv) (C), (xliii) and (liv), 22-3-113(b), 22-3-117(a) (iii), 22-6-113, 22-8-107, 22-9-121(c) (ii), 22-9-125, 22-12-107(a) (v), 22-12-110, 22-12-112 through 22-12-114, 22-13-109, 22-13-112, 22-14-105, 22-14-110, 22-14-111(a) (i), 22-14-113(a), 22-26-101(a) (iii) and (xi) and 22-26-104 are repealed.

Section 5. This act shall apply to all elections in Wyoming after January 1, 2026.

Section 6. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". BRADY

HB0052H3002/FAILED

(CORRECTED CORRECTED COPY)

Delete the first Brady third reading amendment (HB0052H3001/A) entirely and further amend as follows:

Page 1-line 6

After "recounts;" insert "establishing statewide standards related to handling and counting ballots;".

Page 1-line 8

After "amendments;" insert "providing definitions; providing legislative findings; repealing provisions relating to electronic voting systems;".

Page 1-after line 11

Insert:

"Section 1.

(a) The legislature finds that:

(i) Public confidence in election outcomes depends on processes that are transparent, verifiable, pure and secure;

(ii) Wyoming's current electronic voting systems are operating with non-certified peripheral equipment under EVS 6.0.60, including Dell Latitude 3500 laptops, OKI712 ballot-on-demand printers and SYSTOR duplicators, none of which are certified with EVS 6.0.60, thereby voiding EAC certification for those systems pursuant to the EAC Testing and Certification Manual, Version 2.0;

(iii) Wyoming's voting systems run on Windows 10, an operating system no longer supported by Microsoft as of October 2025 and the cost of purchasing individual extended support waivers for each of the three hundred fifty (350) plus voting systems in the state is prohibitive;

(iv) Wyoming's voting systems are certified to VVSG 1.0 and no upgrade path exists to bring those systems into compliance with VVSF 2.0 as directed by a federal executive order;

(v) Wyoming's voting systems have not received antivirus updates since June 8, 2022, which renders these voting systems vulnerable to security threats;

(vi) Wyoming's voting systems use barcodes that are not voter-verifiable, which is in conflict with a federal executive order that directs that no barcodes shall be used in vote tabulation;

(vii) Manual recounts under uniform statewide standards will increase election accuracy, transparency and voter trust.

(b) The purpose of this act is to require recounts in Wyoming to be manual recounts in public view under uniform statewide standards ensuring transparency, security, accuracy, accessibility and public confidence.

Section 2. W.S. 22-6-201 through 22-6-205 and 22-16-124 are created to read:

ARTICLE 2
MANUAL BALLOT COUNTING AND AUDITING

22-6-201. Ballot security, custody, transport and storage.

(a) The secretary of state shall adopt uniform statewide standards for the secure production, transport, storage and accounting of ballots that are consistent with the provisions of this article without the elimination of voting machines.

(b) Each county clerk shall maintain a documented chain of custody for all ballots and election materials from printing or receipt of the ballots through final storage of the ballots after the election.

(c) Every transfer of custody of ballots and election materials shall be recorded with the date, time, persons involved and the seal or container number, if applicable.

(d) All ballots and election materials shall be stored in sealed containers under continuous video surveillance for not less than twenty-four (24) months after the election.

(e) All records and recordings described in this section are public records, subject to reasonable protection of:

(i) Personal voter information as required by law;

(ii) Ballot security details as determined by rule of the secretary of state as necessary to ensure the security of elections.

22-6-202. Publicly conducted manual counting of ballots.

(a) Manual counting of ballots shall be conducted in public view at the designated counting centers for each county or precinct.

(b) Observers from political parties, candidates and the public shall be permitted to observe the manual counting of ballots under conditions established by rule of the secretary of state that allow meaningful observation of the counting process without interference.

(c) Areas where counting is occurring shall be recorded with video and audio equipment, and recordings of the counting shall be retained by the county clerk for not less than sixty (60) months. Recordings under this subsection shall be made publicly available on the website of the county clerk.

(d) Before counting begins under this section, election judges shall verify publicly that all containers are sealed, shall note the seal numbers and shall document the total number of ballots received by ballot category as provided in W.S. 22-6-204(b) (v).

(e) Counting shall begin as soon as practicable after the closing of the polls and shall continue without undue delay until all ballots are fully tallied, counted, reconciled and reported.

(f) Count totals by precinct and ballot type shall be made public not later than one (1) hour after the completion of counting under this section.

22-6-203. Statewide standards for manual counting of ballots.

(a) All ballots shall be counted by hand using a nationally recognized hand counting methodology and in accordance with uniform statewide counting standards adopted by the secretary of state. The secretary of state shall use the USCase.org "Gold Standard Elections" white paper guidelines to adopt rules under this subsection.

(b) The uniform statewide counting standards adopted by the secretary of state shall include at minimum:

(i) Ballot security features to prevent the use of fraudulent printers and duplication systems;

(ii) Counting teams, including not less than four (4) members of not less than two (2) different political affiliations, with balanced representation of political parties to the extent practicable;

(iii) Oaths of impartiality administered to all counting personnel;

(iv) Standardized training in ballot handling, determining voter intent, dispute resolution, tally recording, reconciliation and custody documentation;

(v) Requiring ballots to be separated and counted in three (3) categories:

(A) Absentee voting;

(B) Early voting;

(C) In-person voting on the day of election.

(vi) Independent tallies by not less than two (2) recorders per team, reconciled and signed before finalizing the vote count;

(vii) Batch processing procedures allowing verification and identification of discrepancies;

(viii) Reconciliation of ballots at each transfer of ballots, including matching totals of issued, cast, spoiled, provisional and unused ballots;

(ix) Documentation linking all tally sheets, reconciliation forms and chain-of-custody records;

(x) Requiring all documentation to be duplicated and available to be held as copies by head judges;

(xi) Requiring uniform incident logging for errors, corrections and disputes;

(xii) Prohibiting the use of any apparatus that automatically examines and counts votes recorded on paper ballots or ballot cards and tabulates the results. Nothing in this paragraph shall prohibit the use of simple calculators that are used solely for arithmetic operations to sum manually counted tallies.

(c) Each county shall use a manual counting method that is consistent with the uniform statewide counting standards under this section and that is approved by the secretary of state.

22-6-204. Recounts.

(a) Any recount required by law or requested by a candidate, the county clerk or the secretary of state shall be performed manually in accordance with the same standards and procedures set forth in W.S. 22-6-201 through 22-6-203.

(b) Recounts shall be conducted publicly, recorded on video and audio as provided by W.S. 22-6-203(c) and the recordings shall be retained for not less than eight (8) years.

22-6-205. Rulemaking; training.

(a) The secretary of state shall adopt rules necessary to implement this article, including establishing uniform statewide standards for chain of custody, manual counting, reconciliation, training and public observation.

(b) The secretary of state shall establish a standardized curriculum for county clerks to train election officials, judges and counting teams.

(c) Training sessions conducted under this section shall be open to the public for observation. No person shall conduct counting activities under this article unless the person has completed the training required under this section.

22-16-124. Notice requirements for recounts and audits.

(a) Except as provided in subsection (d) of this section, any meeting of the county clerk or the secretary of state concerning the counting, auditing, canvassing or recounting of ballots shall be publicly noticed not less than seven (7) calendar days before the meeting.

(b) Notice under subsection (a) of this section for a meeting of the county clerk shall be posted on the county website, at the county clerk's office and shall be published in a newspaper of general circulation in the county.

(c) The county clerk shall provide notice of the meeting to the chairman of all major political parties within the county.

(d) Emergency meetings may be held only to address urgent issues and shall be publicly noticed as soon as practicable with a statement of the emergency that required the emergency meeting.

(e) All meetings under this section shall be open to the public. Any minutes or recordings of a meeting under this section shall be made available to the public not later than seventy-two (72) hours after the adjournment of the meeting."

Page 1-line 13 Delete "**Section 1.**" and insert "**Section 3.**"; delete "22-1-102(a)(xlii)" and insert "22-1-102(a)(xi), (xlii) and by creating new paragraphs (lvii) through (lxiv), 22-6-115, 22-6-130".

Page 1-line 14 After "(e)," insert "22-8-113, 22-14-102,".

Page 2-after line 11 Insert:

"(xi) "Counting center" is the location or locations designated by the county clerk for the ~~automatic tabulating and manual~~ counting and tallying of ballots;

(lvii) "Ballot reconciliation" means the process of comparing the total number of ballots that are issued, cast, spoiled, voted as provisional ballots and that are unused ballots to verify that the totals match the number of ballots originally received by a precinct or counting center;

(lviii) "Chain of custody" means the continuous documentation of the possession, transfer and storage of ballots and related election materials from printing through final archival storage;

(lix) "Counting team" means a group of trained election workers assigned to manually count ballots in public view;

(lx) "Hand counting" or "manual counting" means the process of reading and tallying votes on paper ballots by human inspection;

(lxi) "Public observation" means members of the public, poll watchers and representatives of political parties authorized to be present and observe counting and reconciliation activities without interfering with the conduct of the election;

(lxii) "Reconciliation record" means the written document that shows the verification of ballot totals at each stage of the election process, including the total number of ballots procured, issued, collected and counted;

(lxiii) "Tally sheet" means the document used to record vote totals for each candidate and ballot measure during a hand count, required to be signed by all team members participating in the manual count;

(lxiv) "Voter intent standard" means criteria established by rule of the secretary of state, using the USCASE.org "Gold Standard Elections" white paper guidelines to determine a voter's intended choice on a ballot when markings are unclear or incomplete and that is required to be applied uniformly across all counties.

22-6-115. Specifications for paper ballots.

Official paper ballots shall be uniform in size, printed in black ink on good quality paper through which printing cannot be read. Ballots shall be white except as otherwise provided. ~~On a voting machine~~ Each column or row containing the titles of offices and candidates for office shall be ~~arranged~~ formatted to indicate clearly the office for which a candidate is running and shall be suitable for manual counting in accordance with W.S. 22-6-201.

22-6-130. Post-election ballot audit; ballot reconciliation.

(a) Each county clerk shall complete an audit of the county's unofficial election results by identifying and reviewing ~~the smallest observable percentage not less than ten percent (10%) of the cast ballots in each contest in the county~~ between the statewide candidates who received the most votes and the statewide candidates who received the second highest votes. ~~for each contest within the county not later than the first Thursday following a primary, special or general election.~~ Additional contests may be added to the audit at the discretion of the county clerk. ~~Using a formula developed by the University of Wyoming, each county clerk shall use the smallest observable percentage to~~

~~determine a statistically significant sample size of the ballots to be audited under this section. To ensure the timely completion of this procedure under this subsection, the number of ballots audited shall not exceed five percent (5%) of the total number of ballots cast.~~

~~(b) Each county clerk shall conduct an audit of the election using the statistically significant ballot sample size and the corresponding ballots for the contests selected for audit determined under subsection (a) of this section. Each county clerk shall provide the audit results to the secretary of state not later than one (1) day before the meeting of the state canvassing board as provided in W.S. 22-16-118 ensure that the total number of ballots is reconciled at each stage of the election process. Reconciliation includes determining:~~

~~(i) The starting number of ballots procured or printed in preparation for an election;~~

~~(ii) The starting number of ballots issued to each polling location;~~

~~(iii) The total number of ballots printed on demand, including any ballot produced by an accessible voting device permitted under federal law to comply with the Help America Vote Act of 2002, P.L. 107-252;~~

~~(iv) The number of ballots distributed by mail or in-person, categorized by whether the ballot was distributed for absentee voting, early voting or in-person voting on the day of the election;~~

~~(v) The number of ballots cast by any method;~~

~~(vi) The number of spoiled ballots;~~

~~(vii) The number of ballots remaining at the close of polls that were not issued or case; and~~

~~(viii) The number of provisional ballots.~~

~~(c) The total number of ballots accounted for under subsection (b) of this section shall equal the initial total of blank ballots provided, plus any ballot printed on demand as provided by paragraph (b)(iii) of this section. Reconciliation shall be conducted by hand and documented, ensuring no discrepancies exist before proceeding to the audit under subsection (a) of this section.~~

~~(d) If there is discrepancy in counting under subsection (a) of this section or in reconciliation under subsections (b) and (c) of this section, the secretary of state shall be immediately notified and an investigation shall be initiated by the county canvassing board to identify the cause of the discrepancy. If the reason for the discrepancy cannot be determined beyond a reasonable doubt the county canvassing board shall declare any affected part of the election results to be null and void and the provisions of W.S. 22-16-122 shall apply to the election.~~

~~(e) For purposes of this section, the audit under subsection (a) of this section shall include recording and verifying the votes cast for each race appearing on a ballot. Reconciliation under subsections (b) and (c) of this section means reconciling and confirming the total number of ballots issued compared to the number of ballots that were not issued, the number of ballots~~

that were cast, the number of ballots that were spoiled and the number of provisional ballots.

(f) Each county clerk shall provide the audit results under subsection (a) of this section and the full and completed reconciliation of ballot totals under subsections (b) and (c) of this section to the secretary of state not later than three (3) days before the meeting of the state canvassing board as provided in W.S. 22-16-118. Audit results and reconciliation reports filed with the secretary of state under this subsection shall be made publicly available on the website of the secretary of state."

Page 4-line 19 Delete "three (3)" and insert "four (4)"; after "members" insert "with not less than two (2) members from each of the two (2) major political parties, appointed in equal numbers by the central committee of each major political party".

Page 4-line 21 After "clerk" insert "provided that equal party membership as required by this subsection is maintained. All members of a county board shall take an oath of impartiality before commencing any count".

Page 4-after line 21 Insert:

"22-8-113. Training schools; generally and payment for attending.

Not later than four (4) days before the primary and general election, the county clerk under the direction of the secretary of state shall conduct a training school for judges of election and members of counting boards to provide instruction in the performance of their duties. The training school, which is also open to the public, shall be held at the times and places announced by the county clerk, and the secretary of state shall prescribe the minimum curriculum for the school including manual hand counting procedures and standards as provided in W.S. 22-6-203 and 22-6-205. Additional schools may be held at the discretion of the county clerk. ~~Unless training is otherwise provided to the satisfaction of the county clerk,~~ All judges of election and members of counting boards are obligated to attend at least one (1) such school. All judges and members of the counting board, unless the judge or member is volunteering, shall be paid not less than ten dollars (\$10.00) as determined by the board of county commissioners for attending a school.

22-14-102. Who may be present after all votes are cast and polls close; making pollbooks agree; counting votes.

After all the votes are cast and the polls are officially declared closed, only election judges and authorized observers as provided in W.S. 22-15-109 shall be permitted in a polling place. ~~When all ballots are cast, the machine shall be locked against further voting and sealed as prescribed by law. Except as otherwise provided by W.S. 22-14-114(b), election judges shall commence to count votes and shall continue without adjournment until counting is completed~~ Election judges shall ensure reconciliation of all ballots as provided in W.S. 22-6-130(b) and (c) and shall then secure all ballots within locked boxes secured with tamper proof devices for transfer to the counting center. Hand counting of ballots shall commence immediately upon arrival at the counting center as provided in W.S. 22-6-201 through 22-6-205."

Page 5-lines 2 through 22 Delete entirely.

Page 6-lines 1 through 9

Delete entirely and insert:

"(a) ~~For ballots designed to be counted by machine, each individual vote shall be determined by the voting equipment and shall not be determined subjectively by human tabulation except when the intent of the voter is unmistakable but the ballot was received in such damaged, soiled, or other condition that it is rejected by the machine. The secretary of state may promulgate rules establishing standards for counting such ballots. For ballots not designed to be counted by machine,~~ Only votes clearly marked, as provided by W.S. 22-14-104 and rules promulgated pursuant to this code, shall be tallied. For write-in votes, names which are misspelled or abbreviated or the use of nicknames of candidates shall be counted for the candidate if the vote is obvious to the ~~board~~ counting team".

Page 6-line 16 Delete "may" and insert "shall".

Page 6-line 17 After "count" delete balance of line.

Page 6-line 18 Delete "by the county canvassing board" and insert "in accordance with the statewide standards and procedures set forth in W.S. 22-6-201 through 22-6-205".

Page 8-line 21 Delete "may" and insert "shall".

Page 8-line 22 After "hand count" delete balance of line.

Page 8-line 23 Delete "determined by the candidate" and insert "in accordance with the statewide standards and procedures set forth in W.S. 22-6-201 through 22-6-205".

Page 9-line 6 Delete "may" and insert "shall"; after "hand" and insert "count"; delete "or by".

Page 9-line 7 Delete entirely.

Page 9-line 8 Delete "secretary of state" and insert "in accordance with the statewide standards and procedures set forth in W.S. 22-6-201 through 22-6-205".

Page 9-line 12 Delete "may" and insert "shall"; after "hand" insert "count".

Page 9-line 13 Delete entirely.

Page 9-line 14 Delete "county clerk" and insert "in accordance with the statewide standards and procedures set forth in W.S. 22-6-201 through 22-6-205".

Page 14-line 9 Delete "are limited to".

Page 14-line 10 Delete "market facility rental fees, excluding" and insert "shall include costs directly attributable to compliance with the statewide hand counting standards established under W.S. 22-6-201 through 22-6-205, including".

Page 14-line 11 Delete "for facilities owned by the county or the state"; after "wages" insert "for county team members".

Page 14-line 13 Delete "of twenty-five dollars (\$25.00) per day".

Page 14-line 14 Delete "for election judges and county clerk staff".

Page 15-lines 7 and 8 Delete entirely and insert and renumber as necessary:
"Section 4. W.S. 22-1-102(a)(i), (iii), (xiv), (xxxiv)(C), (xliii), (liv), 22-8-108(b), 22-9-125, and 22-16-111(c) are repealed."

Page 15-after line 8 In the Haroldson committee of the whole amendment (HB0052HW003/A) to this line, delete "**Section 3.**" and insert "**Section 5.**".

Page 15-line 10 In the Haroldson committee of the whole amendment (HB0052HW003/A) to this line, delete "**Section 4.**" and insert "**Section 6.**".

Page 15-line 15 In the Haroldson committee of the whole amendment (HB0052HW003/A) to this line, delete "**Section 5.**" and insert "**Section 7.**"; in subsection (b) created by that amendment, delete "Sections 3 and 5" and insert "Sections 5 through 7". BRADY

HB0052H3003/ADOPTED (CORRECTED COPY)

Delete the first Brady third reading amendment (HB0052H3001/AC) entirely and further amend as follows:

Page 1-line 8 After "providing" delete "an".

Page 1-line 9 Delete "appropriation" and insert "appropriations".

Page 15-line 10 Before "There" insert "(a)".

Page 15-after line 13 Insert:

"(b) There is appropriated three hundred thousand dollars (\$300,000.00) from the general fund to the secretary of state for purposes of the secretary of state providing training to county clerks, the county clerks' staff and election volunteers. This appropriation shall be for the period of July 1, 2026 and ending June 30, 2028. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2028."
HAROLDSON

ROLL CALL

Ayes: Representative(s) Andrew, Angelos, Banks, Brown, L, Byron, Campbell, E, Campbell, K, Chestek, Clouston, Connolly, Davis, Filer, Fornstrom, Geringer, Guggenmos, Haroldson, Harshman, Heiner, Hoeft, Jarvis, Johnson, Larsen, L, Larson, Jt, Lawley, Neiman, Ottman, Pendergraft, Posey, Provenza, Rodriguez-Williams, Schmid, Sherwood, Storer, Thayer, Washut, Wharff, Williams, Winter, Yin

Nays: Representative(s) Allemand, Bear, Brady, Bratten, Brown, G, Erickson, Knapp, Lien, Locke, Mccann, Nicholas, Riggins, Singh, Smith, Strock, Styvar, Tarver, Webb, Wylie

Excused: Representative(s) Kelly, Lucas, Wasserburger, Webber

Ayes 39 **Nays** 19 **Excused** 4 **Absent** 0 **Conflicts** 0

HB0052H3004/FAILED

Delete the first Brady third reading amendment (HB0052H3001/AC) and the second Brady third reading amendment (HB0052H3002/ACC) entirely and further amend as follows:

Page 1-line 6 After "recounts;" insert "requiring counties to use pen and paper as the default method to mark ballots for elections in Wyoming as specified; providing definitions;".

Page 1-after line 11 Insert and renumber as necessary:

"Section 1. W.S. 22-13-119 is created to read:

22-13-119. Paper ballots required; exceptions.

(a) Notwithstanding any other provision of law, each county shall provide paper ballots and pens as the default method to mark ballots for all in-person voting in all elections in Wyoming. The county clerk shall provide all voters with a paper ballot and a pen to mark the ballot secretly as provided in this Election Code.

(b) Subsection (a) of this section shall not prohibit any county clerk from providing electronic ballot marking devices for use by persons with disabilities. Electronic ballot marking devices shall comply with all federal accessibility requirements, including under the Help America Vote Act of 2002, P.L. 107-252, and shall conform with the requirements of this Election Code for voting machines and electronic voting systems. Nothing in this subsection shall authorize any county to use electronic ballot marking devices as the default method of marking ballots in the county.

(c) As used in this section:

(i) "Disability" has the meaning stated in the Americans with Disabilities Act of 1990, as amended by the Americans with Disabilities Amendments Act of 2008;

(ii) "Electronic ballot marking device" means any electronic device that assists voters in marking ballots, including, without limitation, any voting machine that uses a touch screen to produce a marked paper ballot or ballot card."

Page 1-line 13 Delete "**Section 1.**" and insert "**Section 2.**".

Page 1-line 14 After "(e)," insert "22-10-102, 22-11-102,".

Page 2-line 3 In the Haroldson committee of the whole amendment (HB0052HW003/A) to this line, before "22-16-118" delete "and"; after "22-16-118" insert "and 22-21-109 and 22-22-203(b)".

Page 4-after line 21 Insert:

"22-10-102. Selection by county commissioners.

Subject to the limitations of W.S. 22-13-119, the board of county commissioners may adopt for use in any precinct in the county a type of voting machine meeting the standards specified in W.S. 22-10-101.

22-11-102. Use authorized; purchase or lease.

Subject to the limitations of W.S. 22-13-119, the board of county commissioners of each county may adopt for use, either experimentally or permanently, in any election in any or all polling places within the county, any electronic voting system authorized by law."

Page 15-after line 5 After the Haroldson committee of the whole amendment (HB0052HW003/A) to this line, insert:

"22-21-109. Supplies; regulations; costs.

Subject to the limitations of W.S. 22-13-119, the county clerk may utilize voting machines or electronic voting systems at any bond election and may prescribe the form of the ballot, the duties of election officials, and other reasonable regulations pertaining thereto. The political subdivision holding the bond election shall pay the actual costs of the election or an equitably proportioned share of a concurrent election, as determined by the county clerk.

22-22-203. Determining validity of application; placement on ballot; procedure for multi-county districts.

(b) Subject to the limitations of W.S. 22-13-119, each county clerk in each election involving a school or community college district which crosses county boundaries shall determine whether voting machines, electronic voting system, paper ballots, or a combination thereof, shall be used to ~~insure~~ensure that each qualified elector votes only for the candidate or candidates from the school district and trustee residence area, if any, and from the community college district and subdistrict, if any, for which he is entitled to vote."

Page 15-after line 8 In the Haroldson committee of the whole amendment (HB0052HW003/A) to this line, delete "**Section 3.**" and insert "**Section 4.**".

Page 15-line 10 In the Haroldson committee of the whole amendment (HB0052HW003/A) to this line, delete "**Section 4.**" and insert "**Section 5.**".

Page 15-line 15 Delete entirely including the Haroldson committee of the whole amendment (HB0052HW003/A) to the line and insert:

"Section 6.

(a) Section 1 of this act is effective January 1, 2028.

(b) Sections 2 and 3 of this act are effective January 1, 2027.

(c) Sections 4 through 6 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". RIGGINS

2/23/2026 H 3rd Reading:Passed 49-9-4-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Bratten, Brown, G, Brown, L, Byron, Campbell, E, Campbell, K, Clouston, Connolly, Erickson, Filer, Fornstrom, Geringer, Guggenmos, Haroldson, Harshman, Heiner, Hoeft, Jarvis, Johnson, Knapp, Larsen, L, Larson, Jt, Lawley, Lien, Locke, Mccann, Neiman, Ottman, Pendergraft, Rodriguez-Williams, Schmid, Sherwood, Singh, Smith, Strock, Styvar, Tarver, Thayer, Washut, Webb, Wharff, Williams, Winter, Wylie

Nays: Representative(s) Brady, Chestek, Davis, Nicholas, Posey, Provenza, Riggins, Storer, Yin

Excused: Representative(s) Kelly, Lucas, Wasserburger, Webber

Ayes 49 **Nays** 9 **Excused** 4 **Absent** 0 **Conflicts** 0

2/24/2026 S Received for Introduction

2/24/2026 S Introduced and Referred to S07 - Corporations

2/27/2026 S07 - Corporations:Recommend Amend and Do Pass 3-2-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Dockstader, Steinmetz

Nays: Senator(s) Case, Landen

Ayes 3 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/27/2026 :Rerefer to S02 - Appropriations

3/2/2026 S02 - Appropriations:Recommend Do Pass 3-0-2-0-0

ROLL CALL

Ayes: Senator(s) French, Laursen, Salazar

Excused: Senator(s) Driskill, Gierau

Ayes 3 **Nays** 0 **Excused** 2 **Absent** 0 **Conflicts** 0

3/2/2026 S Placed on General File

3/3/2026 S COW:S Did not consider for COW