

SENATE FILE NO. SF0114

Election of representatives by county.

Sponsored by: Senator(s) McKeown, Cooper and Laursen, D

A BILL

for

1 AN ACT relating to elections; providing for the election of
 2 representatives to the Wyoming house of representatives;
 3 specifying requirements for nominations and elections;
 4 specifying apportionment and counting procedures for
 5 elections of representatives; making conforming amendments;
 6 providing for the apportionment of house legislative
 7 districts and the number of representatives for each
 8 district; specifying applicability; and providing for an
 9 effective date.

10

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

12

13 **Section 1.** W.S. 22-30-101 through 22-30-103 are
 14 created to read:

15

16

CHAPTER 30

1 ELECTION OF STATE REPRESENTATIVES

2

3 **22-30-101. General elections for state**
4 **representatives; ballot design and format.**

5

6 (a) At each general election, there shall be elected
7 for each district a number of representatives for the state
8 legislature as provided for in W.S. 28-2-119.

9

10 (b) The ballot for electing representatives at the
11 general election shall include:

12

13 (i) The name of each political party that
14 nominates a list of candidates in all capital letters,
15 followed by the phrase "List of Candidates" and the names
16 of the nominated candidates in the order of their
17 nomination;

18

19 (ii) The name of candidates nominated by
20 petition, followed by the phrase "By Petition" and the name
21 of each candidate.

22

1 (c) Candidates nominated by petition shall be treated
2 as a list consisting of a single candidate.

3

4 (d) Voters may vote for one (1) list of candidates in
5 the same manner as for individual candidates for other
6 offices in lieu of selecting individual candidates for the
7 office of representative.

8

9 **22-30-102. Nominations of candidates for state**
10 **representatives; primary elections.**

11

12 (a) Nominated lists of candidates for representatives
13 in each district shall consist of a number of candidates
14 equal to or less than the number of representatives to be
15 elected in a particular district, with the ordering of each
16 nominated candidate on the list determined according to the
17 political party's chosen nominating method.

18

19 (b) Not later than June 1 in every even-numbered
20 year, the chairman of the state central committee of each
21 political party shall certify to the secretary of state the
22 committee's choice as to the method of nominating
23 candidates for representatives. Each political party's

1 chosen nomination method shall be applied uniformly in all
2 districts.

3

4 (c) The state central committee of each major
5 political party may choose for the party to nominate lists
6 of candidates using the primary election. For major
7 political parties choosing to nominate by primary election,
8 voters in the primary election may vote for as many
9 candidates in an amount equal to or less than the number of
10 representatives to be elected. For the general election,
11 the candidates nominated shall be ordered on the nominated
12 list according to the respective number of votes received
13 in the primary election, with the candidate receiving the
14 most votes assigned the first position on the candidate
15 list and continuing in the same manner until the number of
16 candidates equals or does not exceed the number of
17 representatives to be selected. Ties shall be resolved in
18 accordance with W.S. 22-16-119.

19

20 (d) For major political parties choosing not to
21 nominate by primary election and for all minor political
22 parties, the state central committee of the party shall
23 provide for the party to nominate lists of candidates for

1 representative under rules as the state central committee
2 may adopt, including but not limited to the use of
3 conventions, caucuses or party committees. The method for
4 nomination shall be applied uniformly in all districts. A
5 copy of the party's rules adopted under this subsection
6 shall be included with the nomination method certification
7 submitted to the secretary of state under subsection (b) of
8 this section.

9

10 (e) Nominations of candidate lists by parties not
11 using a primary election shall be certified to the
12 secretary of state by the chairman and secretary of the
13 political party's state central committee not later than
14 the date of the primary election specified in W.S.
15 22-2-104(b).

16

17 **22-30-103. General elections for representatives;**
18 **apportionment of elected candidates.**

19

20 (a) The representatives elected for each house
21 district specified in W.S. 28-2-119 shall be apportioned
22 among the nominated candidate lists according to the
23 respective number of votes received in the general

1 election, using the greatest divisors method or Jefferson
2 method for calculating apportionments. Ties in the
3 apportionment of representatives shall be resolved in
4 accordance with W.S. 22-16-119.

5

6 (b) The individual representatives elected from each
7 list of candidates shall be determined according to their
8 ordering on the list, starting with the first candidate and
9 proceeding until the number of representatives elected is
10 equal to the number to which the list is entitled.

11

12 (c) If a list is entitled to more representatives
13 elected than there were candidates nominated on that list,
14 all of the candidates from the exhausted list are deemed to
15 be elected, with the remaining available positions for
16 representative apportioned among the unexhausted lists
17 according to the respective number of votes.

18

19 **Section 2.** W.S. 22-2-117(a), 22-4-303, 22-5-215,
20 22-5-304(c), 22-6-120(a)(iii), (iv), (vii) and (ix),
21 22-6-121(a), 22-6-122 and 22-16-103(a)(ii) and
22 (c)(viii)(C)(I) are amended to read:

23

1 **22-2-117. Vote required for election; ratification.**

2

3 (a) Partisan and nonpartisan candidates who receive
4 the largest number of votes for each office to be filled at
5 the general election are elected. State representatives
6 shall be apportioned by votes for lists as provided in W.S.
7 22-30-103. Nothing in this election code shall be deemed to
8 authorize any election in Wyoming to be conducted through
9 ranked choice voting. Any existing or future ordinance
10 enacted or adopted by a county, municipality or any other
11 governmental entity that purports to authorize ranked
12 choice voting in violation of this subsection is void. As
13 used in this subsection, "ranked choice voting" means a
14 voting method that allows voters to rank candidates for an
15 office in order of preference and has ballots cast to be
16 tabulated in multiple rounds following the elimination of a
17 candidate until the candidate or candidates with the most
18 votes are declared winners, or any other system that allows
19 a voter to vote for more than the number of candidates
20 permitted to fill a particular office.

21

22 **22-4-303. Nomination of candidates.**

23

1 Minor parties may nominate candidates to be placed on the
2 general election ballot only by party convention, subject
3 to the nomination of candidates for the office of state
4 representative under W.S. 22-30-102(d). Under no
5 circumstances shall a minor political party nominate by the
6 primary election process.

7

8 **22-5-215. Nomination of partisan candidates and**
9 **write-in candidates.**

10

11 On each party ballot the candidate or candidates equal in
12 number to the number to be elected to each office who
13 receive the largest number of votes shall be nominated and
14 shall be entitled to have their names printed on the ballot
15 for the next general election. Nomination of candidates for
16 the office of state representative shall be in accordance
17 with W.S. 22-30-101 through 22-30-103. A write-in candidate
18 shall not be nominated and shall not be entitled to have
19 his name printed on the ballot for the next general
20 election unless he received at least twenty-five (25)
21 write-in votes in the primary election and is a registered
22 voter in the political party for which he was nominated on
23 the day of the primary election. An unsuccessful candidate

1 for office at a primary election whose name is printed on
2 any party ballot may not accept nomination for the same
3 office at the next general election.

4

5 **22-5-304. Qualifications and number of signers**
6 **required.**

7

8 (c) For a district partisan election, a petition
9 shall be signed by registered electors, resident in the
10 district and eligible to vote for the petitioner, numbering
11 not less than two percent (2%) of the total number of votes
12 cast for the office in that particular district in the last
13 general election. If a district's boundaries have changed
14 since the last general election, then the required number
15 of petition signatures shall not be less than two percent
16 (2%) of the number of registered voters in the current
17 district boundaries at the close of day on the day
18 immediately preceding the primary election. For the
19 nomination of candidates for state representative, the
20 required number of petition signatures shall be further
21 divided by the number of representatives to be elected from
22 the district.

23

1 **22-6-120. Format of general election ballot.**

2

3 (a) The general election ballot shall be printed in
4 substantial compliance with this format:

5

6 (iii) On the second line shall be printed the
7 ~~same~~ following instructions: ~~as prescribed for primary~~
8 ~~elections in W.S. 22-6-119~~ "To vote for a person whose name
9 or a list of names that is printed on the ballot, mark the
10 square immediately adjacent to the name of the person or
11 list for whom you desire to vote. To vote for a person
12 whose name is not printed on the ballot, write the person's
13 name in the blank space provided for that purpose and mark
14 the square immediately adjacent to the name of the
15 person.";

16

17 (iv) The designation of offices and the
18 applicable term of office shall be printed preceding the
19 names and lists of candidates for the office;

20

21 (vii) Except for elections for state
22 representatives in accordance with W.S. 22-30-101 through
23 22-30-103, the names of partisan party candidates, if

1 candidates have filed, and independent candidates, if
2 candidates have filed, shall be printed in a separate
3 column or columns, row or rows, and the name of the party
4 represented or the word "Independent" shall be printed
5 directly above the candidate's name or at the end of the
6 row. If there are a number of candidates representing a
7 party, or independents, the county clerk at his discretion
8 may designate a separate vertical column or columns, or row
9 or rows to said candidates and print the name of said party
10 or the word "Independent" at the top of the column or
11 beginning of the row;

12

13 (ix) Except for elections for state
14 representatives in accordance with W.S. 22-30-101 through
15 22-30-103, for offices to which more than one (1) person is
16 to be elected, the names of candidates in each column
17 running for the office shall be offset or staggered to
18 prevent two (2) names from appearing directly opposite each
19 other;

20

21 **22-6-121. Political party ballot position on general**
22 **election ballot; order of candidates' names.**

23

1 (a) Political party position shall be determined on
2 the general election ballot according to the number of
3 votes received by each party within the county for the
4 office of representative in congress at the last preceding
5 general election. The party receiving the highest number
6 of votes shall appear first following the names of the
7 offices to be voted for and other parties shall follow in
8 the order of their respective numbers of such votes. The
9 order of any provisional parties will be drawn by the
10 secretary of state. Any independent candidates shall
11 appear following the last party and shall be listed in
12 alphabetical order, subject to rotation. When more than
13 one (1) candidate is to be elected to a particular office
14 except for elections for state representatives under W.S.
15 22-30-101 through 22-30-103, the names of candidates shall
16 be printed in alphabetical order, subject to rotation, on
17 all ballots for electronic and machine voting systems as
18 defined by W.S. 22-1-102.

19

20 **22-6-122. Rotation of candidates' names; equal lines**
21 **on voting machines.**

22

1 Except for elections for state representatives under W.S.
2 22-30-101 through 22-30-103, the names of candidates for
3 each office shall be rotated on all ballots by precinct for
4 all elections. In each county the name of each candidate
5 shall appear substantially an equal number of times at the
6 top, at the bottom, and in each intermediate place. In a
7 voting machine polling place, if candidates for the same
8 office occupy more than one (1) line on the voting machine,
9 the number of names appearing on each line shall be as
10 nearly equal as possible.

11

12 **22-16-103. County canvass procedures.**

13

14 (a) Prior to the county canvass, the county clerk
15 shall:

16

17 (ii) Summarize the number of votes cast in each
18 precinct for every candidate and list of candidates
19 appearing on the ballot and the total votes cast for
20 write-in candidates, and upon each ballot proposition;

21

22 (c) The county canvassing board shall:

23

1 (viii) Ensure abstracts contain the following
2 information:

3
4 (C) The full name of each of the following
5 receiving votes:

6
7 (I) Candidates and lists of candidates
8 printed on the ballot;

9
10 **Section 3.** W.S. 28-2-119 is repealed and recreated to
11 read:

12
13 **28-2-119. House legislative districts; number of**
14 **representatives.**

15
16 (a) Subsection (b) of this section creates
17 legislative districts for the Wyoming house of
18 representatives, consisting of the numbered legislative
19 districts contained therein. There shall be a number of
20 representatives elected from each house legislative
21 district as specified in subsection (b) of this section.

22

1 (b) House districts shall consist of the entirety of
2 the geographic areas of the counties, with the number of
3 representatives to be elected from each district as
4 follows:

5
6 (i) House district 1: Natrona county; nine (9)
7 representatives;

8
9 (ii) House district 2: Campbell county and Crook
10 county; six (6) representatives;

11
12 (iii) House district 3: Laramie county; eleven
13 (11) representatives;

14
15 (iv) House district 4: Sweetwater county and
16 Carbon county; six (6) representatives;

17
18 (v) House district 5: Fremont county; four (4)
19 representatives;

20
21 (vi) House district 6: Albany county; four (4)
22 representatives;

23

1 (vii) House district 7: Sheridan county, Johnson
2 county, Big Horn county, Washakie county and Hot Springs
3 county; seven (7) representatives;

4

5 (viii) House district 8: Teton county and Park
6 county; six (6) representatives;

7

8 (ix) House district 9: Uinta county, Lincoln
9 county and Sublette county; five (5) representatives;

10

11 (x) House district 10: Converse county, Platte
12 county and Goshen county; four (4) representatives;

13

14 (xi) House district 11: Weston county and
15 Niobrara county; one (1) representative.

16

17 **Section 4.** This act shall apply to the election of
18 representatives to the Wyoming house of representatives
19 commencing with the 2026 primary and general elections.

20

1 **Section 5.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)