

HOUSE BILL NO. HB0047

Election equipment-federal certification.

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

A BILL

for

1 AN ACT relating to elections; codifying the secretary of
2 state's rules for certification of electronic voting
3 systems; providing a definition of vendor; and providing
4 for an effective date.

5

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

7

8 **Section 1.** W.S. 22-11-101.1 is created to read:

9

10 **22-11-101.1. Definitions.**

11

12 (a) As used in this chapter, "Vendor" means a person
13 engaged in selling, leasing, marketing, designing, building
14 or maintaining electronic voting systems for tabulating
15 election results to the state or counties.

1

2 **Section 2.** W.S. 22-11-103(a)(x) and by creating new
3 subsections (d) through (g) is amended to read:

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5 **22-11-103. Capabilities required.**

6

7 (a) Every electronic voting system adopted for use in
8 Wyoming shall:

9

10 (x) Be certified by the secretary of state as
11 provided in subsections (d) through (g) of this section.

12

13 (d) A vendor shall file in the office of the
14 secretary of state an application for certification of an
15 electronic voting system and the secretary of state shall
16 approve the application before any electronic voting system
17 to be used in an election conducted under this code may be
18 distributed, sold or upgraded by the vendor. The
19 application for certification of an electronic voting
20 system shall contain the following documentation:

21

1 (i) Proof that the electronic voting system has
2 been certified by the United States election assistance
3 commission;

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5 (ii) Proof that the electronic voting system
6 meets the voluntary voting system guidelines adopted by the
7 United States election assistance commission;

8
9 (iii) Proof that the electronic voting system
10 complies with the provisions of this chapter;

11
12 (iv) A Wyoming certificate of good standing for
13 the vendor from the office of the secretary of state dated
14 not more than ninety (90) days prior to the date the
15 application is filed;

16
17 (v) Proof of the vendor's escrow account
18 containing the source code for the electronic voting system
19 and system components for which certification is being
20 sought including any source code updates; and

21

1 (vi) The checksum value associated with the
2 escrowed source code for the electronic voting system and
3 system components for which certification is being sought.

4
5 (e) The secretary of state may deny an application
6 for certification of an electronic voting system as
7 required by subsection (d) of this section or withdraw
8 certification of an electronic voting system for any of the
9 following reasons:

10
11 (i) A county clerk notifies the secretary of
12 state of and the secretary of state determines that the
13 electronic voting system fails to meet the requirements
14 necessary for approval of certification or ongoing
15 certification provided in subsection (d) of this section;
16 or

17
18 (ii) The vendor fails to notify the secretary of
19 state of necessary enhancements or adjustments to the
20 electronic voting system.

21

1 (f) Before being used, any new electronic voting
2 system that is purchased by either the state or county a
3 shall be certified pursuant to this section.

4
5 (g) Every county in Wyoming shall keep an inventory
6 of all electronic voting systems being used in that county.
7 The inventory shall include the following information:

8
9 (i) The type of electronic voting system used;

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11 (ii) The quantity of each electronic voting
12 system;

13
14 (iii) The serial number of each electronic
15 voting system;

16
17 (iv) The software version, if applicable, of
18 each electronic voting system; and

19
20 (v) The firmware version, if applicable, of each
21 piece of hardware used in an electronic voting system.

22

1 **Section 2.** This act is effective July 1, 2023.

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3

(END)