

HOUSE BILL NO. HB0052

Timeline to prepare and process absentee ballots.

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

A BILL

for

1 AN ACT relating to elections; authorizing the preparation
2 and processing of absentee ballots before an election;
3 providing rulemaking authority; providing a penalty; making
4 conforming amendments; and providing for an effective date.

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

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8 **Section 1.** W.S. 22-8-108(c), 22-9-125(b) and by
9 creating a new subsection (d) and 22-26-112(a) by creating
10 a new paragraph (xi) are amended to read:

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12 **22-8-108. Appointment, composition and authority of**
13 **counting boards; when judges to count.**

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1 (c) The counting board in a paper ballot polling
2 place has no authority to act until polls are declared
3 closed as provided in W.S. 22-13-117, except as provided in
4 W.S. 22-9-125(d). A counting board in an electronic voting
5 system counting center may commence preparing absentee
6 ballots for counting at any time on ~~the day of the~~ election
7 day, or before election day as provided in W.S.
8 22-9-125(d).

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10 **22-9-125. Alternate procedures for collecting and**
11 **counting absentee ballots.**

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13 (b) In the case of electronic voting systems using
14 either alternate procedure provided in subsection (a) of
15 this section, the ballots may be tabulated automatically on
16 election day and the ballot counts shall be entered at the
17 designated counting center at the time the polls close on
18 election day.

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20 (d) Notwithstanding subsection (b) of this section,
21 the county clerk may choose to prepare and process absentee
22 ballots the Thursday or Friday immediately preceding
23 election day, provided:

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(i) Any county clerk electing to use this method of preparing and processing absentee ballots shall first notify the secretary of state;

(ii) The county clerk shall notify each political party of the date, time and place that absentee ballot preparation and processing will occur. The notice shall include information on in-person observation of the process, including any procedures regarding the observation;

(iii) No candidate or candidate's committee chairperson or treasurer, unless the person is also a precinct committeeman or committeewoman, shall be allowed to observe the preparation and processing of absentee ballots under paragraph (ii) of this subsection;

(iv) No results of absentee ballots prepared and processed under this subsection shall be known, printed, released or provided to any person and the results shall not be incorporated into the final vote count in any manner until after the polls close on election day;

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22-26-112. Misdemeanor offenses generally.

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(v) The secretary of state shall adopt rules for the preparing and processing of absentee ballots under this subsection.

(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) Violating W.S. 22-9-125(d)(iv).

Section 2. This act is effective July 1, 2022.

(END)