

HOUSE BILL NO. HB0074

Runoff elections.

Sponsored by: Representative(s) Neiman, Bear, Gray,
Haroldson, Jennings, Rodriguez-Williams and
Williams and Senator(s) Biteman, Boner,
Driskill, French, Salazar and Steinmetz

A BILL

for

1 AN ACT relating to elections; requiring a runoff election
2 after a primary election for specified offices when no
3 candidate receives a majority of the vote; providing the
4 format of the runoff ballot; changing the date for primary
5 elections; amending related dates; making conforming
6 changes; amending election contribution laws; providing
7 that the act is contingent on adoption of a constitutional
8 amendment; and providing for effective dates.

9

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

11

12 **Section 1.** W.S. 22-5-601 and 22-6-130 are created to
13 read:

14

1

ARTICLE 6

2

RUNOFF ELECTIONS

3

4

22-5-601. Runoff elections for nominations.

5

6

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

16

17

(i) If more than two (2) candidates in a partisan primary election tie for the highest number of votes in the primary election, the state canvassing board shall cast lots to determine which two (2) shall be runoff election candidates; or

22

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

6
7 (b) Notwithstanding W.S. 22-5-401, if any candidate
8 eligible to be in a runoff election withdraws, dies or is
9 determined ineligible, that candidate shall be ineligible
10 for the runoff election and the two (2) eligible candidates
11 receiving the highest number of votes in accordance with
12 subsection (a) of this section shall be the candidates in
13 the runoff election.

14
15 (c) If required under this section, runoff elections
16 shall be held on the first Tuesday after the second Monday
17 in August in general election years.

18
19 (d) The candidate who receives the highest number of
20 votes in the runoff election shall be nominated.

21
22 (e) In the event of a tie, the state canvassing board
23 shall cast lots pursuant to W.S. 22-16-119.

1

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

4

5 **22-6-130. Format of runoff election ballot.**

6

7 (a) Pursuant to W.S. 21-5-601 the primary runoff
8 election ballot of each major political party shall be
9 printed in substantial compliance with this format:

10

11 (i) Across the top shall be printed "Official
12 Runoff Election Ballot" followed by the name of the major
13 political party;

14

15 (ii) On the first line shall be printed the
16 county in which the ballot is used, the date of the
17 election and blank lines for entry of the election district
18 and precinct;

19

20 (iii) On the second line shall be printed the
21 following instructions: "To vote for a person whose name is
22 printed on the ballot, mark the square immediately adjacent
23 to the name of the person for whom you desire to vote. To

1 vote for a person whose name is not printed on the ballot,
2 write the person's name in the blank space provided for
3 that purpose and mark the square immediately adjacent to
4 the name of the person.";

5

6 (iv) Candidates for the different offices shall
7 be arranged in separate groups. At the top of each group
8 shall appear the title of the office. Adjacent to the title
9 of the office shall be printed "Vote for one";

10

11 (v) Below the list of candidates in each group
12 shall be printed a blank line for a write-in candidate;

13

14 (vi) Adjacent to the name of each candidate and
15 blank line shall be printed a square for marking the vote.
16 No square shall appear at the top of a column.

17

18 **Section 2.** W.S. 22-1-102(a)(lii), 22-2-101(a)(ii),
19 22-2-104(b) and (d), 22-2-108, 22-2-109(a) and by creating
20 a new subsection (d), 22-2-111(a), 22-2-113(e),
21 22-3-102(a)(intro) and by creating a new subsection (f),
22 22-3-109(a), 22-4-402(a) and (e), 22-5-101, 22-5-209,
23 22-5-214, 22-5-215, 22-5-219(a) and by creating new

1 subsections (c) and (d), 22-6-101, 22-6-102(a), 22-6-105,
2 22-7-101, 22-8-101(a), (b) and (d), 22-8-116, 22-16-102(a),
3 22-16-103(c)(i), 22-16-106(a), 22-16-118, 22-16-121(a),
4 22-21-103, 22-21-104, 22-22-202(a), 22-23-303,
5 22-25-101(c)(i)(C), 22-25-102(c)(i)(B), (ii)(B), (j) and
6 (m), 22-25-104, 22-25-105(a), 22-25-106(a)(i), (b)(i),
7 (h)(intro) and (ii), 22-25-107(b) and 22-29-110(a) and (b)
8 are amended to read:

9
10 **22-1-102. Definitions.**

11
12 (a) The definitions contained in this chapter apply
13 to words and phrases used in this Election Code and govern
14 the construction of those words and phrases unless they are
15 specifically modified by the context in which they appear.
16 As used in this Election Code:

17
18 (lii) "Unsuccessful candidate" means a person
19 who did not win the election but whose name was printed on
20 the ballot and who received one (1) or more votes in the
21 primary or runoff election;

22

1 **22-2-101. Applicability and construction of Election**
2 **Code generally.**

3
4 (a) Chapters 1 through 28 of this Election Code apply
5 to the following elections:

6
7 (ii) Primary elections and runoff elections
8 under W.S. 22-5-601;

9
10 **22-2-104. Election dates.**

11
12 (b) A primary election shall be held at the regular
13 polling places for each precinct on the first Tuesday after
14 the ~~third~~first Monday in ~~August~~May in general election
15 years for the nomination of candidates for partisan and
16 nonpartisan offices to be filled at the succeeding general
17 election and for the election of major party precinct
18 committeemen and committeewomen. If required under W.S.
19 22-5-601, a runoff election shall be held at the regular
20 polling places for each necessary precinct on the first
21 Tuesday after the second Monday in August in general
22 election years.

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

5

6 **22-2-108. Secretary of state to certify officers to**
7 **be elected.**

8

9 ~~Between the twenty-fourth day of April and the third day of~~
10 ~~May in each general election year, Not less than one~~
11 ~~hundred (100) and not more than one hundred ten (110) days~~
12 ~~before the primary election~~ the secretary of state shall
13 transmit to the county clerk of each county a certified
14 list stating what officers, other than county and precinct
15 officers, are to be nominated or elected at the election.

16

17 **22-2-109. County clerk to publish proclamation.**

18

19 (a) Between ~~one hundred one (101) and~~ ninety-one (91)
20 ~~and eighty-one (81)~~ days before each primary election the
21 county clerk in each county shall publish at least once in
22 a newspaper of general circulation in the county and post
23 in the county clerk's office and at the place where each

1 municipality within the county regularly holds its council
2 meetings a proclamation setting forth the date of the
3 election, the offices to be filled at the election
4 including the terms of the offices, the number of persons
5 required by law to fill the offices, the filing deadline
6 for the offices and the requirements for filing statements
7 of campaign contributions and expenditures. The
8 proclamation shall also include the aforementioned
9 information regarding offices to be filled at the general
10 election, the date of any potential runoff election and any
11 other pertinent primary election information. In addition,
12 the description of any ballot proposition submitted to the
13 voters of the state, a political subdivision thereof,
14 county or other district shall be included.

15

16 (d) Not later than fifteen (15) days before any
17 runoff election required by W.S. 22-5-601, the county clerk
18 in each applicable county shall publish at least once in a
19 newspaper of general circulation in the county and post in
20 the county clerk's office and at the place where each
21 municipality within the county regularly holds its council
22 meetings a notice of election setting forth the date of the

1 runoff election and a sample ballot pursuant to W.S.
2 22-6-105.

3

4 **22-2-111. Employees time off to vote.**

5

6 (a) Any person entitled to vote at any primary,
7 runoff or general election or special election to fill a
8 vacancy in the office of representatives in the congress of
9 the United States is, on the day of such election, entitled
10 to absent himself from any service or employment in which
11 he is then engaged or employed for a period of one (1)
12 hour, other than meal hours, the hour being at the
13 convenience of the employer, between the time of opening
14 and closing of the polls. Such elector shall not, because
15 of so absenting himself, lose any pay, providing he
16 actually casts his legal vote.

17

18 **22-2-113. Availability and form of registry lists;**
19 **use of copies; election record; purging.**

20

21 (e) The county clerks shall purge and update voter
22 registration information on the voter registration system
23 not later than the fifteenth day of February ~~each~~-following

1 a general election year and shall notify the secretary of
2 state upon completion, but not later than February 15 of
3 ~~each~~the year following a general election year.

4
5 **22-3-102. Qualifications; temporary registration.**

6
7 (a) Except as provided in subsection (f) of this
8 section, a person may register to vote not less than
9 fourteen (14) days before an election, at any election
10 specified in W.S. 22-2-101(a)(i) through (viii) or as
11 provided by W.S. 22-3-117, who satisfies the following
12 qualifications:

13
14 (f) To qualify as an eligible voter in a runoff
15 election required by W.S. 22-5-601, the person shall be a
16 registered voter in the jurisdiction where a runoff
17 election is being held and shall be currently registered in
18 the same political party by which they were eligible to
19 vote at the time of the applicable primary election,
20 including voters who registered at the polls at the primary
21 election.

1 **22-3-109. Certification and transmittal of poll**
2 **lists; posting of registry lists.**

3
4 (a) Not less than ten (10) days before any election,
5 the county clerk shall certify and transmit to the officer
6 in charge of each election at his request the necessary
7 poll lists for the precincts or areas involved in the
8 election. Not less than ten (10) days prior to the primary
9 and general elections and not less than five (5) days prior
10 to a runoff election required by W.S. 22-5-601, the county
11 clerks shall upon request deliver ~~up to three (3) a~~ poll
12 ~~lists~~ list for each precinct in the county to the county
13 chairman of each political party in the respective
14 counties.

15
16 **22-4-402. Petition; form; validity.**

17
18 (a) Any group of persons desiring to form a new
19 political party within this state shall file a petition
20 with the secretary of state not later than ~~June~~ February 1
21 in any general election year in which the party seeks to
22 qualify for the general election ballot.

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

3
4 **22-5-101. How candidates nominated.**

5
6 Nominations of candidates for all offices filled at a
7 general election, except school and community college
8 district offices and special district offices, may be made
9 by primary or runoff election as applicable, by petition
10 for nomination as an independent candidate as provided in
11 W.S. 22-5-301 through 22-5-308 or by convention as provided
12 in W.S. 22-4-303 and 22-4-406.

13
14 **22-5-209. Time for filing nomination applications;**
15 **certified list.**

16
17 An application for nomination shall be filed not more than
18 ~~ninety-six (96)~~ninety (90) days and not later than
19 ~~eighty-one (81)~~eighty (80) days next preceding the primary
20 election. Not later than ~~sixty-eight (68)~~seventy-five (75)
21 days before a primary election the secretary of state shall
22 transmit to each county clerk a certified list of persons
23 whose applications have been filed in the office of the

1 secretary of state stating as to each his name, age,
2 address, office sought and party affiliation.

3

4 **22-5-214. Change in party affiliation.**

5

6 An elector may change his party affiliation by completing
7 an application signed before a notarial officer or election
8 official, and filing it with the county clerk not less than
9 fourteen (14) days before the primary election or at the
10 polls on the day of the primary or general election, or
11 when requesting an absentee ballot for the primary or
12 general election.

13

14 **22-5-215. Nomination of partisan candidates and**
15 **write-in candidates.**

16

17 Except as provided in W.S. 22-5-601, on each party ballot
18 the candidate or candidates equal in number to the number
19 to be elected to each office who receive the largest number
20 of votes shall be nominated and shall be entitled to have
21 their names printed on the ballot for the next general
22 election. A write-in candidate shall not be nominated and
23 shall not be entitled to have his name printed on the

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

9
10 **22-5-219. Further action by nominees or elect not**
11 **required; exception.**

12
13 (a) Candidates nominated ~~and major party precinct~~
14 ~~committeemen and committeewomen elected~~ at a primary ~~or~~
15 ~~runoff~~ election shall be deemed nominated ~~or elected~~
16 without further action. ~~In addition, each write-in~~
17 ~~candidate nominated at a primary election shall comply with~~
18 ~~the provisions of W.S. 22-16-106.~~

19
20 (c) Major party precinct committeemen and
21 committeewomen elected at a primary election shall be
22 deemed elected without further action.

1 (d) Each write-in candidate nominated at a primary or
2 runoff election shall comply with the provisions of W.S.
3 22-16-106.

4

5 **22-6-101. Certification of candidates nominated;**
6 **printing of names.**

7

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

18

19 **22-6-102. County clerk to print ballots; exception.**

20

21 (a) The county clerk shall print official ballots for
22 ~~his~~their county, for all primary, runoff, general and
23 special elections.

1

2 **22-6-105. Sample ballots; publication.**

3

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

12

13 **22-7-101. Election districts.**

14

15 The board of county commissioners with the advice or
16 recommendation of the county clerk, no later than ~~its first~~
17 ~~meeting in May~~ the third Tuesday in January in every
18 general election year shall divide the county into not more
19 than thirty (30) election districts. Each district shall
20 be designated by number. Election districts shall be
21 changed only at this designated meeting.

22

1 22-8-101. Notice of election officials needed; county
2 chairmen to submit list of names; municipal clerks list of
3 names appointment.

4
5 (a) Not later than the ~~third~~first Tuesday of ~~April~~
6 February in each general election year, each county clerk
7 shall notify the county chairmen of the major and minor
8 political parties in the county of the number of election
9 judges and counting board members and alternates needed for
10 the ensuing two (2) year term.

11
12 (b) Not later than the ~~third~~first Tuesday of ~~May~~
13 March in each general election year the county chairman of
14 each major and minor political party in each county may
15 certify to the county clerk a list of registered electors
16 residing in the county and affiliated with the party, and a
17 list of persons who are at least sixteen (16) years of age
18 who otherwise meet all requirements for qualification as an
19 elector, who are willing to serve as a judge of election or
20 as a member of a counting board.

21
22 (d) Not later than ~~June 30~~March 31, the county clerk
23 on each general election year shall appoint judges of

1 election and counting boards and alternates from lists
2 submitted by the county chairmen of the major and minor
3 political parties.

4

5 **22-8-116. Compensation.**

6

7 Judges of election and members of counting boards shall be
8 compensated for services at a rate to be determined by the
9 board of county commissioners ~~at the June~~ not later than
10 their March meeting and stated on the notice sent to each
11 nominee. The rate shall be not less than the state minimum
12 wage. Compensation shall begin one (1) hour before a member
13 assumes his duties. The election official who delivers the
14 returns shall receive additional compensation for necessary
15 travel beyond ten (10) miles at the rate authorized for
16 county employees. If a flat rate is paid, said sum shall
17 not be less than the state hourly minimum wage multiplied
18 by the number of hours the polls are open plus one (1)
19 hour.

20

21 **22-16-102. Abstract of vote; returns not filed.**

22

1 (a) The county clerk shall prepare an abstract of the
2 vote of all precincts in the county following a county
3 primary, runoff, special or general election. The abstract
4 shall contain all items required in W.S.
5 22-16-103(c)(viii).

6

7 **22-16-103. County canvass procedures.**

8

9 (c) The county canvassing board shall:

10

11 (i) Meet as soon as all returns have been
12 received and abstracted, but if any provisional ballots
13 have been cast in the county, not before the time has
14 passed for provisional voters to document their eligibility
15 to register or to vote. The board shall meet at a time and
16 place designated by the county clerk, but no later than the
17 ~~first Friday~~ second Wednesday following the election;

18

19 **22-16-106. Write-in candidates.**

20

21 (a) Each write-in candidate nominated at a primary or
22 runoff election, who has not previously filed an
23 application for nomination shall accept nomination by

1 filing an application for nomination and paying the filing
2 fee in the office in which he would have been required to
3 file an application for nomination to that office.

4

5 **22-16-118. Meeting of state canvassing board.**

6

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

17

18 **22-16-121. Certificates of nomination and election**
19 **following state or county canvass.**

20

21 (a) When the state canvass is concluded, the
22 secretary of state shall issue a certificate of nomination
23 to each candidate nominated at a primary or runoff election

1 and certify the names of nominees as provided in W.S.
2 22-6-101. If a runoff election is required under W.S.
3 22-5-601, not later than two (2) days following the state
4 canvassing board meeting the secretary of state shall
5 provide notice of the runoff election and nominations to
6 the applicable county clerks. When the county canvass is
7 concluded, the county clerk shall issue a certificate of
8 nomination to each candidate nominated at a primary
9 election or by petition.

10

11 **22-21-103. How bond question to be submitted to**
12 **electors; contents.**

13

14 Each bond question shall be submitted to a vote of the
15 qualified electors of the political subdivision. Every bond
16 election shall be held on ~~the same day as a primary~~
17 ~~election or a general election, or on~~ the Tuesday next
18 following the first Monday in May or November., ~~or on the~~
19 ~~Tuesday next following the third Monday in August.~~ Not less
20 than one hundred ten (110) days before a bond election, the
21 political subdivision shall provide written notification to
22 the county clerk specifying the date of the election and
23 the bond question. The bond question shall state the

1 purpose of the bonds, the maximum principal amount thereof,
2 the maximum number of years allowed for the indebtedness
3 and the maximum rate of interest to be paid thereon. The
4 secretary of state may promulgate reasonable rules
5 for conducting bond elections where the election is not
6 held at the same time as the general or primary election.

7
8 **22-21-104. Publication or posting of election notice;**
9 **contents.**

10
11 Between ~~one hundred one (101) and ninety one (91) days~~
12 ~~before a bond election held in conjunction with a primary~~
13 ~~or other August election and between~~ ninety (90) and
14 seventy (70) days before a bond election held in
15 conjunction with a May, general or other November election,
16 the county clerk shall publish notice of the election at
17 least once in a newspaper of general circulation in the
18 political subdivision. If there is no newspaper of general
19 circulation in the political subdivision, notice shall be
20 posted at each polling place in the political subdivision
21 between ninety (90) and seventy (70) days before the
22 election. Any notice of election hereunder shall specify
23 the name of the political subdivision, the date, time and

1 place of election, the question or questions to be
2 submitted, and the fact that only qualified electors of the
3 political subdivision may vote thereon. If a bond
4 election is being held within a political subdivision at
5 the same time and place as a regular or other election, the
6 notice of bond election may, at the discretion of the
7 county clerk, be combined with and given in the same manner
8 as the notice of the regular or other election in such
9 political subdivision.

10

11 **22-22-202. Filing of application; form.**

12

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

20

21 APPLICATION FOR ELECTION FOR SCHOOL OR

22 COMMUNITY COLLEGE TRUSTEE

23

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

12

13 Dated:

14

15 (Signature of Candidate)

16

17 Name as it is to appear on the ballot

18

19 **22-23-303. Certification of candidates; names on**
20 **ballots.**

21

22 Not later than ~~sixty-eight (68)~~seventy-five (75) days
23 prior to the primary election, the municipal clerk shall

1 certify to the county clerk the names of all qualified
2 candidates for nomination at the municipal primary election
3 and the office they seek. The number of municipal
4 candidates the voters are entitled to vote for at the
5 primary election is the number of candidates to be elected
6 to municipal offices at the general election.

7

8 **22-25-101. Definitions; statement of formation.**

9

10 (c) As used in this chapter:

11

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

22

1 (C) Is made within thirty (30) calendar
2 days of a primary or runoff election, sixty (60) calendar
3 days of a general election or twenty-one (21) calendar days
4 of any special election during which the candidate or
5 ballot proposition will appear on the ballot; and

6

7 **22-25-102. Contribution of funds or election**
8 **assistance restricted; limitation on contributions; right**
9 **to communicate; civil penalty.**

10

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

14

15 (i) To any candidate for statewide political
16 office, or to any candidate for statewide political
17 office's candidate's campaign committee:

18

19 (B) Except as otherwise provided in this
20 subparagraph, no contribution for the general election may
21 be given prior to the date for the primary-runoff election.
22 This subparagraph shall not apply to any candidate
23 unopposed in the primary election, successfully nominated

1 at the primary election or nominated in accordance with
2 W.S. 22-4-303 or 22-5-301.

3

4 (ii) To any candidate for nonstatewide political
5 office, or to any candidate for nonstatewide political
6 office's candidate's campaign committee:

7

8 (B) Except as otherwise provided in this
9 subparagraph, no contribution for the general election may
10 be given prior to the date for the ~~primary~~-runoff election.
11 This subparagraph shall not apply to any candidate
12 unopposed in the primary election, successfully nominated
13 at the primary election or nominated in accordance with
14 W.S. 22-4-303 or 22-5-301.

15

16 (j) For purposes of subsection (c) of this section
17 the primary, runoff, general and special elections shall be
18 deemed separate elections. No candidate for political
19 office shall accept, directly or indirectly, contributions
20 which violate subsection (c) of this section.
21 Contributions to a candidate's campaign committee shall be
22 considered to be contributions to the candidate.
23 Subsection (c) of this section does not limit political

1 contributions by political parties, nor expenditures by a
2 candidate from his own funds nor from his candidate's
3 campaign committee funds.

4

5 (m) Except as otherwise provided in this section, no
6 political action committee shall contribute directly or
7 indirectly more than five thousand dollars (\$5,000.00) per
8 election to any candidate for political office other than
9 statewide political office. For purposes of this
10 subsection the primary, runoff, general and special
11 elections shall be deemed separate elections. No candidate
12 for political office shall accept, directly or indirectly,
13 contributions which violate this subsection. Contributions
14 to a candidate's campaign committee shall be considered to
15 be contributions to the candidate. This subsection does
16 not limit political contributions by political parties, nor
17 expenditures by a candidate from his own funds nor from his
18 candidate's campaign committee funds.

19

20 **22-25-104. Restriction on party funds in primary and**
21 **runoff elections.**

22

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

5

6 **22-25-105. Campaign reporting forms; instructions and**
7 **warning.**

8

9 (a) The secretary of state shall prescribe the forms
10 for reporting contributions and expenditures for primary,
11 runoff, general and special election campaigns, together
12 with written instructions for completing the form and a
13 warning that violators are subject to criminal charges and
14 civil penalties if the forms are not completed and filed
15 pursuant to law. The forms along with instructions and
16 warning shall be distributed to the county clerk and shall
17 be made available, whether in electronic or paper form, by
18 the county clerk to each person filing an application for
19 nomination in his office and to each political action
20 committee and candidate's campaign committee required to
21 file with the county clerk.

22

23 **22-25-106. Filing of campaign reports.**

1

2 (a) Except as otherwise provided in subsections (g)
3 and (j) of this section and in addition to other reports
4 required by this subsection:

5

6 (i) Every candidate, whether successful or not,
7 shall file an itemized statement of contributions and
8 expenditures at least seven (7) days but not more than
9 fourteen (14) days before any primary, general or special
10 election, including a runoff election if applicable. Any
11 contribution received or expenditure made after the
12 statement has been filed, through the day of the election,
13 whether a primary, general or special election and
14 including a runoff election if applicable, shall be filed
15 as an amendment to the statement within ten (10) days after
16 the election;

17

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

22

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

16

17 (h) An organization that expends in excess of five
18 hundred dollars (\$500.00) in any primary, runoff, general
19 or special election to cause an independent expenditure or
20 electioneering communication to be made shall file an
21 itemized statement of contributions and expenditures with
22 the appropriate filing office under W.S. 22-25-107. The
23 statement shall:

1

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

9

10 **22-25-107. Where reports to be filed.**

11

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

15

16 **22-29-110. County clerk to publish proclamation;**
17 **filing period.**

18

19 (a) Between ~~one hundred one (101) and ninety one (91)~~
20 ~~days before an organizational election held in conjunction~~
21 ~~with a primary or other August election, between~~ ninety
22 (90) and seventy (70) days before an organizational
23 election held in conjunction with a May, general, November

1 or mail ballot election held at any other time, the county
2 clerk shall publish at least once in a newspaper of general
3 circulation in each county in which all or part of the
4 proposed district is situated a proclamation setting forth
5 the date of the election, what county clerk is the filing
6 officer, the question of formation, what offices are to be
7 filled including the terms of the offices, the
8 filing period for the offices and other pertinent election
9 information. Minor errors in the proclamation shall not
10 invalidate the forthcoming election.

11

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

22

23

APPLICATION FOR ELECTION

1 SPECIAL DISTRICT DIRECTOR

2

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

13

14 Dated

15

16

17 Signature of Candidate

18

19 **Section 3.** Sections 1 and 2 of this act shall be
20 effective only upon certification by the secretary of state
21 that the electors have adopted an amendment to the
22 constitution at the 2022 general election revising the date

1 of the reapportionment of the legislature, as provided in
2 2022 House Joint Resolution 0003.

3

4 **Section 4.**

5

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

10

11 (b) Except as provided in section 3 of this act,
12 sections 1 and 2 of this act are effective July 1, 2023.

13

14 (END)