

## HOUSE BILL NO. HB0259

Runoff elections.

Sponsored by: Representative(s) Neiman, Angelos, Bear, Davis, Haroldson, Heiner, Jennings, Ottman, Penn, Slagle, Smith, Strock, Ward and Winter and Senator(s) Boner and Ide

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 upon adoption of a  
8 constitutional amendment; providing an appropriation; and  
9 providing for effective dates.

10

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

12

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

1

2

## ARTICLE 6

3

## RUNOFF ELECTIONS

4

5

**22-5-601. Runoff elections for nominations.**

6

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

17

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

23

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 before the runoff election, that  
10 candidate shall be ineligible for the runoff election and  
11 the two (2) remaining eligible candidates receiving the  
12 highest number of votes in accordance with subsection (a)  
13 of this section shall be the candidates in the runoff  
14 election.

15

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

19

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

22

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

3

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

6

7           (g) All costs incurred in carrying out a runoff  
8 election under this section shall be borne by the secretary  
9 of state who shall reimburse the county treasurer for the  
10 costs paid by the county for the runoff election. There is  
11 created the runoff election account. Funds in the account  
12 shall not revert and are continuously appropriated to the  
13 secretary of state for costs related to administering  
14 runoff elections as provided in this section. Earnings  
15 from the account shall be deposited in the general fund.

16

17           **22-6-130. Format of runoff election ballot.**

18

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

22

1           (i) Across the top shall be printed "Official  
2 Runoff Election Ballot" followed by the name of the major  
3 political party;

4

5           (ii) On the first line shall be printed the  
6 county in which the ballot is used, the date of the  
7 election and blank lines for entry of the election district  
8 and precinct;

9

10           (iii) On the second line shall be printed the  
11 following instructions: "To vote for a person whose name is  
12 printed on the ballot, mark the square immediately adjacent  
13 to the name of the person for whom you desire to vote. To  
14 vote for a person whose name is not printed on the ballot,  
15 write the person's name in the blank space provided for  
16 that purpose and mark the square immediately adjacent to  
17 the name of the person.";

18

19           (iv) Candidates for different offices in the  
20 same runoff election shall be arranged in separate groups  
21 in the order specified by W.S. 22-6-117. At the top of each  
22 group shall appear the title of the office. Adjacent to the  
23 title of the office shall be printed "Vote for one";

1

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

4

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

8

9 **Section 2.** W.S. 22-1-102(a)(xxx)(E) and (lii),  
10 22-2-101(a)(ii), 22-2-104(b) and (d), 22-2-108, 22-2-109(a)  
11 and by creating a new subsection (d), 22-2-111(a),  
12 22-2-113(e), 22-3-102(a)(intro) and by creating a new  
13 subsection (f), 22-3-109(a), 22-4-402(a) and (e), 22-5-101,  
14 22-5-209, 22-5-214, 22-5-215, 22-5-219(a) and by creating  
15 new subsections (c) and (d), 22-6-101, 22-6-102(a),  
16 22-6-105, 22-6-107, 22-7-101, 22-8-101(a), (b) and (d),  
17 22-8-116, 22-16-102(a), 22-16-103(c)(i), 22-16-106(a) and  
18 (b), 22-16-118, 22-16-121(a), 22-16-122(c) and (f),  
19 22-17-102(a)(intro), 22-21-103, 22-21-104, 22-22-202(a),  
20 22-23-303, 22-25-101(d)(i)(C), 22-25-102(c)(i)(B), (j) and  
21 (m), 22-25-104, 22-25-105(a), 22-25-106(a)(i), (b)(i),  
22 (h)(intro) and (ii), 22-25-107(b), 22-26-113(a)(intro) and  
23 22-29-110(a) and (b) are amended to read:

1

2           **22-1-102. Definitions.**

3

4           (a) The definitions contained in this chapter apply  
5 to words and phrases used in this Election Code and govern  
6 the construction of those words and phrases unless they are  
7 specifically modified by the context in which they appear.  
8 As used in this Election Code:

9

10           (xxx) "Residence" is the place of a person's  
11 actual habitation. The construction of this term shall be  
12 governed by the following rules:

13

14           (E) If a person ~~removes~~moves to another  
15 state with the intent of making it his residence, he loses  
16 his residence in Wyoming; except that in a general election  
17 year, if his registration is valid in Wyoming when he  
18 leaves this state and he is unable to qualify under the  
19 laws of his new state of residence to vote at the primary  
20 or general election, he shall be deemed to have retained  
21 residence in Wyoming for purposes of voting by absentee  
22 ballot in the primary, runoff or general election;

23

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

5

6           **22-2-101. Applicability and construction of Election**  
7 **Code generally.**

8

9           (a) Chapters 1 through 28 of this Election Code apply  
10 to the following elections:

11

12           (ii) Primary elections and runoff elections  
13 under W.S. 22-5-601;

14

15           **22-2-104. Election dates.**

16

17           (b) A primary election shall be held at the regular  
18 polling places for each precinct on the first Tuesday after  
19 the ~~third~~first Monday in ~~August~~May in general election  
20 years for the nomination of candidates for partisan and  
21 nonpartisan offices to be filled at the succeeding general  
22 election and for the election of major party precinct  
23 committeemen and committeewomen. If required under W.S.



1 22-5-601, a runoff election shall be held at the regular  
2 polling places for each precinct on the first Tuesday after  
3 the second Monday in August in general election years.  
4

5 (d) Every bond election shall be held ~~on the same day~~  
6 ~~as a primary election or a general election, or~~ on the  
7 first Tuesday after the first Monday in May or November.  
8 ~~or on the first Tuesday after the third Monday in August.~~  
9

10 **22-2-108. Secretary of state to certify officers to**  
11 **be elected.**  
12

13 ~~Between the twenty-fourth day of April and the third day of~~  
14 ~~May in each general election year, Not less than one~~  
15 ~~hundred (100) and not more than one hundred ten (110) days~~  
16 ~~before the primary election,~~ the secretary of state shall  
17 transmit to the county clerk of each county a certified  
18 list stating what officers, other than county and precinct  
19 officers, are to be nominated or elected at the election.  
20

21 **22-2-109. County clerk to publish proclamation.**  
22

1           (a) Between ~~one hundred one (101) and~~ ninety-one (91)  
2 and eighty-one (81) days before each primary election, the  
3 county clerk in each county shall publish at least once in  
4 a newspaper of general circulation in the county and post  
5 in the county clerk's office and at the place where each  
6 municipality within the county regularly holds its council  
7 meetings a proclamation setting forth the date of the  
8 election, the offices to be filled at the election  
9 including the terms of the offices, the number of persons  
10 required by law to fill the offices, the filing deadline  
11 for the offices and the requirements for filing statements  
12 of campaign contributions and expenditures. The  
13 proclamation shall also include the aforementioned  
14 information regarding offices to be filled at the general  
15 election, the date that a runoff election would occur if  
16 necessary and any other pertinent primary election  
17 information. In addition, the description of any ballot  
18 proposition submitted to the voters of the state, a  
19 political subdivision thereof, county or other district  
20 shall be included.

21

22           (d) Not later than fifteen (15) days before any  
23 runoff election required by W.S. 22-5-601, the county clerk

1 in each applicable county shall publish at least once in a  
2 newspaper of general circulation in the county and post in  
3 the county clerk's office and at the place where each  
4 municipality within the county regularly holds its council  
5 meetings a notice of election setting forth the date of the  
6 runoff election and a sample ballot pursuant to W.S.  
7 22-6-105.

8

9 **22-2-111. Employees time off to vote.**

10

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

22

1           **22-2-113. Availability and form of registry lists;**  
2 **use of copies; election record; purging.**

3  
4           (e) The county clerks shall purge and update voter  
5 registration information on the voter registration system  
6 not later than the fifteenth day of February ~~each~~following  
7 a general election year and shall notify the secretary of  
8 state upon completion, but not later than February 15 of  
9 ~~each~~the year following a general election year.

10  
11           **22-3-102. Qualifications; temporary registration.**

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

19  
20           (f) To qualify as an eligible voter in a runoff  
21 election required by W.S. 22-5-601, the person shall be a  
22 registered voter in the jurisdiction where a runoff  
23 election is being held and shall be currently registered in

1 the same political party by which they were eligible to  
2 vote at the time of the applicable primary election,  
3 including voters who registered at the polls at the primary  
4 election.

5

6 **22-3-109. Certification and transmittal of poll**  
7 **lists; posting of registry lists.**

8

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

20

21 **22-4-402. Petition; form; validity.**

22

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

6

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

9

10           **22-5-101. How candidates nominated.**

11

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

19

20           **22-5-209. Time for filing nomination applications;**  
21 **certified list.**

22

1 An application for nomination shall be filed not more than  
2 ~~ninety-six (96)~~ ninety (90) days and not later than  
3 ~~eighty-one (81)~~ eighty (80) days next preceding the primary  
4 election. Not later than ~~sixty-eight (68)~~ seventy-five (75)  
5 days before a primary election, the secretary of state  
6 shall transmit to each county clerk a certified list of  
7 persons whose applications have been filed in the office of  
8 the secretary of state stating as to each his name, age,  
9 address, office sought and party affiliation.

10

11 **22-5-214. Change in party affiliation.**

12

13 An elector may change his party affiliation by completing  
14 an application signed before a notarial officer or election  
15 official, and filing it with the county clerk not less than  
16 fourteen (14) days before the primary election or at the  
17 polls on the day of the primary or general election, or  
18 when requesting an absentee ballot for the primary or  
19 general election.

20

21 **22-5-215. Nomination of partisan candidates and**  
22 **write-in candidates.**

23

1 Except as provided in W.S. 22-5-601, on each party ballot  
2 the candidate or candidates equal in number to the number  
3 to be elected to each office who receive the largest number  
4 of votes shall be nominated and shall be entitled to have  
5 their names printed on the ballot for the next general  
6 election. A write-in candidate shall not be nominated and  
7 shall not be entitled to have his name printed on the  
8 ballot for the next general election unless he received at  
9 least twenty-five (25) write-in votes in the primary  
10 election and is a registered voter in the political party  
11 for which he was nominated on the day of the primary  
12 election. An unsuccessful candidate for office at a primary  
13 election whose name is printed on any party ballot may not  
14 accept nomination for the same office at the next general  
15 election.

16

17 **22-5-219. Further action by nominees or elect not**  
18 **required; exception.**

19

20 (a) Candidates nominated ~~and major party precinct~~  
21 ~~committeemen and committeewomen elected~~ at a primary or  
22 runoff election shall be deemed nominated ~~or elected~~  
23 without further action. ~~In addition, each write-in~~



1 ~~candidate nominated at a primary election shall comply with~~  
2 ~~the provisions of W.S. 22-16-106.~~

3

4 (c) Major party precinct committeemen and  
5 committeewomen elected at a primary election shall be  
6 deemed elected without further action.

7

8 (d) Each write-in candidate nominated at a primary or  
9 runoff election shall comply with the provisions of W.S.  
10 22-16-106.

11

12 **22-6-101. Certification of candidates nominated;**  
13 **printing of names.**

14

15 Not less than sixty (60) days before each general election  
16 the secretary of state shall transmit to each county clerk  
17 under party headings a certified list of the name and  
18 address of each person nominated by primary or runoff  
19 election as indicated by the state canvass, the name of  
20 each person nominated by provisional or minor party  
21 convention, the name of each independent candidate  
22 qualifying for nomination by petition, and the office

1 sought. The names of these candidates shall be printed on  
2 the official ballot of the general election.

3

4 **22-6-102. County clerk to print ballots; exception.**

5

6 (a) The county clerk shall print official ballots for  
7 ~~his~~the county, for all primary, runoff, general and  
8 special elections.

9

10 **22-6-105. Sample ballots; publication.**

11

12 The officer providing the official ballots shall publish  
13 sample ballots at least once in a newspaper of general  
14 circulation in the district in which each primary, runoff  
15 and general election is held within two (2) weeks prior to  
16 the election. This notice shall also state that the names  
17 of candidates will be rotated on the official ballots and  
18 will not always appear in the order indicated in the sample  
19 ballots.

20

21 **22-6-107. Time for possession of ballots and labels.**

22

1           (a) Official ballots for primary, runoff and general  
2 elections shall be in the county clerk's possession  
3 forty-five (45) days before the election. If a clerk is  
4 unable to obtain ballots on time, the secretary of state  
5 shall provide by rule and regulation for the clerk to  
6 obtain and use substitute ballots.

7  
8           (b) Notwithstanding subsection (a) of this section,  
9 county clerks shall make official absentee ballots for  
10 primary, runoff and general elections available to voters  
11 with rights under the Uniformed and Overseas Citizens  
12 Absentee Voting Act, 42 U.S.C. 1973ff, and future acts  
13 amendatory or supplemental thereto, forty-five (45) days  
14 before the election.

15

16           **22-7-101. Election districts.**

17

18 The board of county commissioners with the advice or  
19 recommendation of the county clerk, no later than ~~its first~~  
20 ~~meeting in May~~ the third Tuesday in January in every  
21 general election year shall divide the county into not more  
22 than thirty (30) election districts. Each district shall

1 be designated by number. Election districts shall be  
2 changed only at this designated meeting.

3

4 **22-8-101. Notice of election officials needed; county**  
5 **chairmen to submit list of names; municipal clerks list of**  
6 **names appointment.**

7

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

14

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

1

2 (d) Not later than ~~June 30~~March 31, the county clerk  
3 on each general election year shall appoint judges of  
4 election and counting boards and alternates from lists  
5 submitted by the county chairmen of the major and minor  
6 political parties.

7

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

9

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

23

1           **22-16-102. Abstract of vote; returns not filed.**

2

3           (a) The county clerk shall prepare an abstract of the  
4 vote of all precincts in the county following a county  
5 primary, runoff, special or general election. The abstract  
6 shall contain all items required in W.S.  
7 22-16-103(c)(viii).

8

9           **22-16-103. County canvass procedures.**

10

11           (c) The county canvassing board shall:

12

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

20

21           **22-16-106. Write-in candidates.**

22

1           (a) Each write-in candidate nominated at a primary or  
2 runoff election, who has not previously filed an  
3 application for nomination shall accept nomination by  
4 filing an application for nomination and paying the filing  
5 fee in the office in which he would have been required to  
6 file an application for nomination to that office.

7  
8           (b) The chief election officer shall notify a  
9 write-in candidate who has been nominated at a primary or  
10 runoff election within forty-eight (48) hours after the  
11 canvassing board meets. Notification may be delivered by  
12 United States postal service or other generally accepted  
13 mail delivery method to the last known address of the  
14 write-in candidate, email or other electronic means that  
15 provide actual notice to the write-in candidate, or service  
16 as provided under the Wyoming Rules of Civil Procedure.  
17 Each notification provided under this section shall inform  
18 the write-in candidate that failure to timely respond will  
19 result in forfeiture of nomination. Failure of the  
20 successful write-in candidate to accept the nomination in  
21 the manner prescribed in subsection (a) of this section  
22 within five (5) days after delivery, attempted delivery or  
23 service under the Wyoming Rules of Civil Procedure, as

1 computed pursuant to W.S. 22-2-110, results in the  
2 successful write-in candidate not appearing on the general  
3 election ballot, but does not result in a vacancy which can  
4 be filled.

5

6 **22-16-118. Meeting of state canvassing board.**

7

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

18

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

21

22 (a) When the state canvass is concluded, the  
23 secretary of state shall issue a certificate of nomination



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

11

12 **22-16-122. Election declared null and void; special**  
13 **election.**

14

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

21

22 (f) The special election shall be held if necessary  
23 no later than the third Tuesday after the primary, runoff,

1 general or other special election and may be held by a  
2 special mail ballot election as provided in W.S. 22-16-123.  
3 The special election shall be conducted by the county clerk  
4 as nearly as possible in the manner of a primary, runoff or  
5 general election, except only those registered in the  
6 precinct at the close of polls on the election day of the  
7 primary, runoff, general or other special election in  
8 question shall be permitted to vote in the special  
9 election. If the election is held as a special mail ballot  
10 election, the election shall be held as provided in W.S.  
11 22-16-123.

12

13 **22-17-102. Commencement by verified petition;**  
14 **contents.**

15

16 (a) Election contests for all primary and runoff  
17 election offices and all general election offices other  
18 than state legislators, United States president and  
19 vice-president and presidential elector, may be commenced  
20 by the contestant filing with the clerk of the district  
21 court of the county, within fourteen (14) days after the  
22 results of the election have been certified by the

1 canvassing board, a verified petition setting forth  
2 specifically:

3

4 **22-21-103. How bond question to be submitted to**  
5 **electors; contents.**

6

7 Each bond question shall be submitted to a vote of the  
8 qualified electors of the political subdivision. Every bond  
9 election shall be held on ~~the same day as a primary~~  
10 ~~election or a general election, or on~~ the Tuesday next  
11 following the first Monday in May or November, ~~or on the~~  
12 ~~Tuesday next following the third Monday in August.~~ Not less  
13 than one hundred ten (110) days before a bond election, the  
14 political subdivision shall provide written notification to  
15 the county clerk specifying the date of the election and  
16 the bond question. The bond question shall state the  
17 purpose of the bonds, the maximum principal amount thereof,  
18 the maximum number of years allowed for the indebtedness  
19 and the maximum rate of interest to be paid thereon. The  
20 secretary of state may promulgate reasonable rules  
21 for conducting bond elections where the election is not  
22 held at the same time as the general or primary election.

23

1           **22-21-104. Publication or posting of election notice;**  
2 **contents.**

3  
4 Between ~~one hundred one (101) and ninety one (91) days~~  
5 ~~before a bond election held in conjunction with a primary~~  
6 ~~or other August election and between~~ ninety (90) and  
7 seventy (70) days before a bond election held in  
8 conjunction with a May, general or other November election,  
9 the county clerk shall publish notice of the election at  
10 least once in a newspaper of general circulation in the  
11 political subdivision. If there is no newspaper of general  
12 circulation in the political subdivision, notice shall be  
13 posted at each polling place in the political subdivision  
14 between ninety (90) and seventy (70) days before the  
15 election. Any notice of election hereunder shall specify  
16 the name of the political subdivision, the date, time and  
17 place of election, the question or questions to be  
18 submitted, and the fact that only qualified electors of the  
19 political subdivision may vote thereon. If a bond  
20 election is being held within a political subdivision at  
21 the same time and place as a regular or other election, the  
22 notice of bond election may, at the discretion of the  
23 county clerk, be combined with and given in the same manner

1 as the notice of the regular or other election in such  
2 political subdivision.

3

4 **22-22-202. Filing of application; form.**

5

6 (a) A qualified elector may be nominated for the  
7 office of school district trustee or member of a community  
8 college board by filing an application for election in the  
9 office of the county clerk not more than ninety (90) nor  
10 less than ~~seventy (70)~~ eighty (80) days prior to the  
11 election. The application shall be in substantially the  
12 following form:

13

14 APPLICATION FOR ELECTION FOR SCHOOL OR  
15 COMMUNITY COLLEGE TRUSTEE

16

17 I, the undersigned, swear or affirm that I was born on  
18 ....., .....(year), and that I have been a resident of the  
19 State of Wyoming since ....., and that I am a registered  
20 voter of the .... school district or community college  
21 district (and resident of trustee residence area or  
22 subdistrict ....., if any), residing at ....., and I do  
23 hereby request that my name, ....., be printed on the ballot

1 of the election to be held on the .... day of .....,  
 2 ....(year), as a candidate for the office of .... for a  
 3 term of .... years. I hereby declare that if I am elected,  
 4 I will qualify for the office.

5

6 Dated: ....

7

8 ..... (Signature of Candidate)

9

10 .... Name as it is to appear on the ballot

11

12 **22-23-303. Certification of candidates; names on**  
 13 **ballots.**

14

15 Not later than ~~sixty-eight (68)~~ seventy-five (75) days  
 16 prior to the primary election, the municipal clerk shall  
 17 certify to the county clerk the names of all qualified  
 18 candidates for nomination at the municipal primary election  
 19 and the office they seek. The number of municipal  
 20 candidates the voters are entitled to vote for at the  
 21 primary election is the number of candidates to be elected  
 22 to municipal offices at the general election.

23

1           **22-25-101. Definitions; statement of formation.**

2

3           (d) As used in this chapter:

4

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

15

16                   (C) Is made within thirty (30) calendar  
17 days of a primary or runoff election, sixty (60) calendar  
18 days of a general election or twenty-one (21) calendar days  
19 of any special election during which the candidate or  
20 ballot proposition will appear on the ballot; and

21

1           22-25-102. Contribution of funds or election  
2 assistance restricted; limitation on contributions; right  
3 to communicate; civil penalty.

4

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

8

9           (i) To any candidate for statewide political  
10 office, or to any candidate for statewide political  
11 office's candidate's campaign committee:

12

13           (B) Except as otherwise provided in this  
14 subparagraph, no contribution for the general election may  
15 be given prior to the date for the ~~primary~~-runoff election.  
16 This subparagraph shall not apply to any candidate  
17 unopposed in the primary election, successfully nominated  
18 at the primary election where a runoff election is not  
19 required or nominated in accordance with W.S. 22-4-303 or  
20 22-5-301.

21

22           (j) For purposes of subsection (c) of this section  
23 the primary, runoff, general and special elections shall be



1 deemed separate elections. No candidate for political  
2 office shall accept, directly or indirectly, contributions  
3 which violate subsection (c) of this section.  
4 Contributions to a candidate's campaign committee shall be  
5 considered to be contributions to the candidate.  
6 Subsection (c) of this section does not limit political  
7 contributions by political parties, nor expenditures by a  
8 candidate from his own funds nor from his candidate's  
9 campaign committee funds.

10

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

1 expenditures by a candidate from his own funds nor from his  
2 candidate's campaign committee funds.

3

4 **22-25-104. Restriction on party funds in primary and**  
5 **runoff elections.**

6

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

11

12 **22-25-105. Campaign reporting forms; instructions and**  
13 **warning.**

14

15 (a) The secretary of state shall prescribe the forms  
16 for reporting contributions and expenditures for primary,  
17 runoff, general and special election campaigns, together  
18 with written instructions for completing the form and a  
19 warning that violators are subject to criminal charges and  
20 civil penalties if the forms are not completed and filed  
21 pursuant to law. The forms along with instructions and  
22 warning shall be distributed to the county clerk and shall  
23 be made available, whether in electronic or paper form, by

1 the county clerk to each person filing an application for  
2 nomination in his office and to each political action  
3 committee and candidate's campaign committee required to  
4 file with the county clerk.

5

6 **22-25-106. Filing of campaign reports.**

7

8 (a) Except as otherwise provided in subsections (g)  
9 and (j) of this section and in addition to other reports  
10 required by this subsection:

11

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

23

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

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

21  
22           (h) An organization that expends in excess of one  
23 thousand dollars (\$1,000.00) in any primary, runoff,

1 general or special election to cause an independent  
2 expenditure or electioneering communication to be made  
3 shall file an itemized statement of contributions and  
4 expenditures with the appropriate filing office under W.S.  
5 22-25-107. The statement shall:

6

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

14

15 **22-25-107. Where reports to be filed.**

16

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

20

21 **22-26-113. Electioneering too close to a polling**  
22 **place.**

23

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

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  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
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15  
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17  
18  
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21  
22

SPECIAL DISTRICT DIRECTOR

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

Dated ....

.....

Signature of Candidate

**Section 3.** Sections 1 and 2 of this act shall be  
effective only upon certification by the secretary of state  
that the electors have adopted an amendment to the Wyoming  
constitution at the 2024 general election revising the date



