

**HB0249****Runoff elections.**

Sponsored By: Representative(s) Neiman, Andrew, Kelly and
Rodriguez-Williams and Senator(s) Boner and McKeown

AN ACT relating to elections; requiring a runoff election after a primary election for specified offices when no candidate receives a majority of the vote; providing the format of the runoff ballot; changing the date for primary elections; amending related dates; clarifying maintenance of voter registration lists; making conforming changes; amending election contribution laws; creating an account; providing an appropriation; requiring a report; and providing for effective dates.

1/20/2025 Bill Number Assigned
1/20/2025 H Received for Introduction
1/27/2025 H Introduced and Referred to H07 - Corporations
2/5/2025 H07 - Corporations:Recommend Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Brown, Hoeft, Johnson, Knapp, Locke, Lucas, Webb, Webber

Nays: Representative Yin

Ayes 8 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/5/2025 H Placed on General File
2/10/2025 H COW:Rerefer to H02 - Appropriations
2/10/2025 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Angelos, Bear, Haroldson, Pendergraft, Sherwood, Smith

Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/10/2025 H Placed on General File
2/10/2025 H COW:Passed

HB0249H2001/ADOPTED

Page 11-line 19 Strike "one (1)".

Page 11-line 20 Strike "hour" and insert "two (2) hours". SHERWOOD

HB0249H2002/FAILED

Page 1-above line 1 In the catch title, before "Runoff" insert "Instant".

Page 1-line 1 Delete "a" and insert "an instant".

Page 1-line 2 Delete "after a primary election"; delete "when no".

Page 1-line 3 Delete line through "vote".

Page 1-line 4 Before "runoff" insert "instant"; after "ballot;" delete balance of line.

Page 1-line 5 Delete line through "dates;".

Page 1-line 8 Delete "requiring a report;".

Page 1-line 13 Delete "and 22-6-131 are" and insert "is".

Page 2-lines 6 through 22 Delete entirely.

Pages 3 through 5 Delete entirely.

Page 6-lines 1 through 12 Delete entirely and insert:

"(a) Candidates for governor, secretary of state, state treasurer, state auditor, state superintendent of public instruction and any federal office shall be nominated in an instant runoff election to be held in conjunction with the partisan primary election on the third Tuesday in August in even-numbered years other than presidential election years.

(b) All candidates for the offices listed in subsection (a) of this section shall file nominating applications during the candidate filing period specified in W.S. 22-5-209 in the year of their election.

(c) If more than two (2) candidates file for a partisan nomination for any of the offices listed, all candidates for that nomination shall appear on the instant runoff election ballot. If not more than two (2) candidates file for a partisan nomination, the candidates shall appear on the regular partisan primary ballot.

(d) At the instant runoff election, voters shall rank all candidates appearing on the ballot in descending order of their individual preference for each office on the ballot.

(e) If no candidate receives a majority of first-choice votes on the first round of counting of ballots, the candidate with the lowest number of first-choice votes will be eliminated from the next round of tabulation.

(f) Any ballot cast for a candidate who has been eliminated will be reexamined and counted for the next highest-ranked candidate who has not been eliminated. A new tally will then be conducted to determine whether any candidate has won a majority of ballots.

(g) This process will be repeated in succeeding rounds until a candidate wins an outright majority of votes cast. The successful candidate will win that party's nomination as a candidate for the specified office in the general election."

Page 6-line 15 Delete "and (d), 22-2-108, 22-2-109(a),".

Page 6-line 16 Delete line through "(d),".

Page 6-line 17 After "22-2-113(e)," delete balance of line.

Page 6-line 18 Delete line through "22-3-109(a),"; delete "22-4-402(a) and" and insert "22-4-402".

Page 6-line 19 Delete "22-5-209,".

Page 6-line 21 After "22-6-107," delete balance of line.

Page 6-line 22 Delete "22-16-103(c)(i),".

Page 6-line 23 Delete "22-16-118,".

Page 7-line 1 After "22-17-102(a)(intro)," delete balance of line.

Page 7-line 2 Delete "22-23-303,".

Page 7-line 4 After "22-25-107(b)" delete "," and insert "and"; after "22-26-113(a)(intro)" delete "and".

Page 7-line 5 Delete "22-29-110(a) and (b)".

Page 8-line 4 Before "runoff" insert "instant".

Page 8-line 9 Before "runoff" insert "instant".

Page 8-line 17 Before "runoff" insert "instant".

Page 8-lines 21 through 23 Delete entirely.

Pages 9 and 10 Delete entirely.

Page 11-lines 2 through 10 Delete entirely.

Page 11-line 15 Before "runoff" insert "instant".

Page 12-lines 14 through 21 Delete entirely.

Page 13 Delete entirely.

Page 14-lines 8 through 12 Delete entirely.

Page 14-line 22 Before "runoff" insert "instant".

Page 15-lines 4 through 15 Delete entirely.

Page 16-line 18 Before "runoff" insert "instant".

Page 17-line 6 Before "runoff" insert "instant".

Page 17-line 15 Before "runoff" insert "instant".

Page 18-line 3 Before "runoff" insert "instant".

Page 18-line 10 Before "runoff" insert "instant".

Page 18-line 19 Before "runoff" insert "instant".

Page 19-line 6 Before "runoff" insert "instant".

Page 19-lines 12 through 20 Delete entirely.

Page 20 Delete entirely.

Page 21-lines 1 through 19 Delete entirely.

Page 22-line 3 Before "runoff" insert "instant".

Page 22-lines 7 through 17 Delete entirely.

Page 22-line 22 Before "runoff" insert "instant".

Page 23-line 7 Before "runoff" insert "instant".

Page 24-lines 4 through 15 Delete entirely.

Page 24-line 22 Before "runoff" insert "instant".

Page 25-lines 1 through 5 Delete all new language.

Page 25-line 17 Before "runoff" insert "instant".

Page 25-line 21 Before "runoff" insert "instant".

Page 26-line 2 Before "runoff" insert "instant".

Page 26-line 5 Before "runoff" insert "instant".

Page 26-line 14 Before "runoff" insert "instant".

Pages 27 through 29 Delete entirely.

Page 30-lines 1 through 20 Delete entirely.

Page 31-line 15 Before "runoff" insert "instant".

Page 32-line 11 Reinsert stricken "primary"; before "runoff" insert "or instant".

Page 32-lines 13 through 15 Delete all new language.

Page 32-line 19 Before "runoff" insert "instant".

Page 33-line 12 Before "runoff" insert "instant".

Page 34-line 5 Before "runoff" insert "instant".

Page 34-line 12 Before "runoff" insert "instant".

Page 35-line 11 After "including" delete "a" and insert "an instant".

Page 35-line 15 After "including" delete "a" and insert "an instant".

Page 36-line 7 Before "runoff" insert "instant".

Page 36-line 10 Before "runoff" insert "instant".

Page 36-line 13 Before "runoff" insert "instant".

Page 36-line 18 Before "runoff" insert "instant".

Page 37-line 3 Before "runoff" insert "instant".

Page 37-line 6 Before "runoff" insert "instant".

Page 37-line 13 Before "runoff" insert "instant".

Page 38-line 3 Before "runoff" insert "instant".

Page 38-lines 11 through 23 Delete entirely.

Pages 39 and 40 Delete entirely.

Page 41-lines 1 through 9 Delete entirely.

Page 41-line 11 Delete "**Section 4.**" and insert "**Section 3.**".

Page 41-line 12 Before "runoff" insert "instant".

Page 41-line 14 After "act" insert "to support the secretary of state and the county clerks to purchase any hardware and software needed to implement the instant runoff election process created by this act".

Page 41-line 18 Before "runoff" insert "instant".

Page 42-line 1 Delete "**Section 5.**" and insert "**Section 4.**".

Page 42-line 8 Delete "4" and insert "3". CHESTEK

HB0249H2003/ADOPTED

Delete the Chestek second reading amendment (HB0249H2002/A) entirely and further amend as follows:

Page 6-line 15 Delete "and" and insert ","; after "(d)" insert "and by creating a new subsection (f)".

Page 8-line 21 Before "A primary" insert "Except for primary elections for the governor, secretary of state, state treasurer, state auditor, state superintendent of public instruction and any federal office,".

Page 8-line 23 Reinsert all stricken language; delete all new language.

Page 9-lines 4 through 7 Delete all new language.

Page 9-after line 12 Insert:

"(f) For primary elections for the governor, secretary of state, state treasurer, state auditor, state superintendent of public instruction and any federal office, a primary election shall be held at the regular polling places for each precinct on the first Tuesday after the first Monday in May in general election years if the office will be filled at the succeeding general election. If required under W.S. 22-5-601, a runoff election for the specified office shall be held at the regular polling places for each precinct on the first Tuesday after the second Monday in August in general election years.". GERINGER

HB0249H3001/ADOPTED

Page 2-line 22 Delete "or".

Page 3-line 6 Delete "." and insert "; or".

Page 3-after line 6 Insert:

"(iii) If a partisan primary election is for a majority party that has issued a resolution to not participate in runoff elections that was passed by the state party not later than December 31 of the immediately preceding odd numbered year and certified by the secretary of state.". YIN

HB0249H3002/ADOPTED**(Corrected Copy)**

Page 1-line 13 Delete "and 22-6-131 are" and insert "is".

Page 4-line 16 Before "runoff" insert "May primary elections and".

Page 4-line 21 Delete entirely.

Page 5 Delete entirely.

Page 6-lines 1 through 12 Delete entirely.

Page 6-line 16 Delete "and by creating a new subsection (d)".

Page 6-line 21 After "22-6-107," insert "22-6-119(a) by creating a new paragraph (ix),".

Page 7-line 1 Delete "22-21-103, 22-21-104,".

Page 8-line 23 Strike "third" and insert "second".

Page 9-line 19 Delete "the" and insert "each".

Page 10-lines 4 through 6 Delete entirely and insert:

"(a) ~~Between one hundred one (101) and ninety one (91) days before each primary election~~ The county clerk in each county shall publish a proclamation under this section for each of the May and August primary elections. The proclamations for the primary elections shall be published between ninety-one (91) and eighty-one (81) days before the applicable primary election. Each proclamation under this subsection shall be published at least once in".

Page 10-line 10 After "meetings" insert "."; strike "a proclamation setting" and insert "Each proclamation under this subsection shall set".

Page 10-line 15 Strike "The" and insert "Each".

Page 11-lines 2 through 10 Delete entirely.

Page 13-line 5 Delete "by which they were eligible" and insert "for which they were present".

Page 13-line 7 Before "primary" insert "May".

Page 13-line 9 Delete "runoff" and insert "August primary".

Page 13-line 11 Delete "applicable" and insert "May".

Page 13-line 12 Before "primary" insert "May".

Page 13-lines 22 and 23 Delete all new language.

Page 15-line 9 Before "primary" insert "applicable".

Page 15-line 10 After "election" insert "as specified in W.S. 22-2-104(b) and (f)".

Page 17-line 2 Delete "a" and insert "the August".

Page 19-after line 10 Insert:

"22-6-119. Format of primary ballot.

(a) The primary ballot of each major political party shall be printed in substantial compliance with this format:

(ix) If a runoff election is required pursuant to W.S. 22-5-601, the runoff election shall be listed on the political party election ballot for which the runoff election is required, under the heading of "Runoff Election".

Pages 27 and 28 Delete entirely.

Page 38-lines 14 through 16 Reinsert all stricken language.

Page 38-line 16 Before reinserted "primary" strike "a" and insert "an August".

Page 39-lines 7 through 9 Reinsert all stricken language.

Page 39-line 8 After reinserted "with" strike "a" and insert "an August".

Page 41-line 18 After "implement" insert "May primary elections and".
NEIMAN

2/12/2025 H 3rd Reading:Passed 38-22-2-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Brady, Bratten, Brown, G, Campbell, K, Connolly, Davis, Erickson, Guggenmos, Haroldson, Heiner, Hoeft, Johnson, Kelly, Knapp, Lien, Locke, Lucas, Mccann, Neiman, Ottman, Pendergrast, Rodriguez-Williams, Schmid, Singh, Strock, Styvar, Tarver, Wasserburger, Webb, Webber, Wharff, Williams, Winter

Nays: Representative(s) Brown, L, Byron, Campbell, E, Chestek, Clouston, Eklund, Filer, Geringer, Harshman, Jarvis, Larsen, Larson, Lawley, Nicholas, Posey, Provenza, Sherwood, Storer, Thayer, Washut, Wylie, Yin

Excused: Representative(s) Riggins, Smith

Ayes 38 **Nays** 22 **Excused** 2 **Absent** 0 **Conflicts** 0

2/13/2025 S Received for Introduction
2/13/2025 S Introduced and Referred to S07 - Corporations
2/26/2025 S07 - Corporations:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Dockstader, Landen, Steinmetz

Nays: Senator Case

Ayes 4 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/26/2025 :Rerefer to S02 - Appropriations

2/28/2025 S02 - Appropriations:Recommend Amend and Do Pass 3-1-1-0-0

ROLL CALL

Ayes: Senator(s) Laursen, Salazar, Smith

Nays: Senator Gierau

Excused: Senator Driskill

Ayes 3 **Nays** 1 **Excused** 1 **Absent** 0 **Conflicts** 0

2/28/2025 S Placed on General File

2/28/2025 S COW:S Did not consider for COW

3/4/2025 S: Motion To Place Bill on General File Failed by Roll Call 5-26-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Brennan, Pearson, Smith, Steinmetz

Nays: Senator(s) Anderson, Barlow, Biteman, Case, Cooper, Crago, Crum, Dockstader, Driskill, French, Gierau, Hicks, Hutchings, Ide, Jones, Kolb, Landen, Laursen, Mckeown, Nethercott, Olsen, Pappas, Rothfuss, Salazar, Schuler, Scott

Ayes 5 **Nays** 26 **Excused** 0 **Absent** 0 **Conflicts** 0