

1 Delete the Haroldson committee of the whole amendment
2 (HB0052HW003/A) entirely and further amend as follows:

3
4 Page 1-above line 1 In the catch title, delete "for
5 recounts".

6
7 Page 1-line 1 Delete "a process".

8
9 Page 1-line 2 Delete line through "by" and insert "the";
10 after "counting" delete "the" and insert "of".

11
12 Page 1-line 3 Delete "authorizing" and insert "providing
13 duties for"; after "clerks" insert ";".

14
15 Page 1-lines 4 through 6 Delete entirely.

16
17 Page 1-line 7 Delete "required to be appointed;"; delete
18 "creating an".

19
20 Page 1-line 8 Delete "account;" and insert "establishing
21 statewide standards related to the handling
22 and counting of ballots; providing for the
23 reconciling of ballot numbers; prohibiting the
24 use of voting machines for casting or
25 tabulating ballots; revising requirements for
26 the post-election ballot audit; revising
27 offenses related to elections; providing
28 penalties; repealing conflicting provisions;
29 providing legislative findings; specifying
30 applicability;".

31
32 Page 1-after line 11 Insert:

33
34 **"Section 1.**

35
36 (a) The legislature finds that:

37
38 (i) Public confidence in election outcomes depends on
39 processes that are transparent, verifiable, pure and secure;

40
41 (ii) The use of electronic tabulation and electronic
42 voting systems has created concerns in the public regarding
43 election oversight, transparency, security and cost;

44

1 (iii) Manual tabulation and counting of paper ballots
2 under uniform statewide standards will increase election accuracy,
3 transparency and voter trust;

4
5 (iv) Wyoming elections should rely on processes that can
6 be observed, audited, and replicated by citizens;

7
8 (v) It is necessary to repeal statutory authorizations
9 for electronic tabulation and e pollbooks and to establish
10 statewide standards for manual tabulation and counting that
11 maintain flexibility for improved counting methods over time.

12
13 (b) The purpose of this act is to transition all Wyoming
14 elections to paper ballots that are manually counted in public
15 view under uniform statewide standards ensuring purity of the vote,
16 transparency, security, accuracy, accessibility and public
17 confidence.

18
19 **Section 2.** W.S. 22-6-201 through 22-6-210 are created to read:

20
21 ARTICLE 2
22 MANUAL BALLOT COUNTING AND AUDITING

23
24 **22-6-201. Paper ballots and design standards.**

25
26 (a) All votes shall be cast on paper ballots that are:

27
28 (i) Able to be read by a human;

29
30 (ii) Able to be manually tallied or hand countable;

31
32 (iii) Designed in accordance with the requirements of
33 this Election Code and with statewide standards established by
34 rule of the secretary of state in accordance with this Election
35 Code. The secretary of state shall use the USCase.org "Gold
36 Standard Elections" white paper guidelines to adopt rules under
37 this paragraph.

38
39 (b) Ballots shall contain only text and marks that can be
40 interpreted by human inspection without the aid of electronic
41 tabulation devices.

42
43 (c) Ballots shall include security features sufficient to
44 prevent unauthorized duplication or substitution of ballots as
45 specified by rule of the secretary of state.

1 (d) Accessible voting devices permitted under federal law to
2 comply with the Help America Vote Act of 2002, P.L. 107 252, shall
3 be used only to produce one (1) ballot per voter that shall be
4 able to be read by a human and that shall be manually counted in
5 the same manner as all other ballots.

6
7 **22-6-202. Ballot security, custody, transport and storage.**
8

9 (a) The secretary of state shall adopt uniform statewide
10 standards for the secure production, transport, storage and
11 accounting of ballots that are consistent with the provisions of
12 this article.

13
14 (b) Each county clerk shall maintain a documented chain of
15 custody for all ballots and election materials from printing or
16 receipt of the ballots through final storage of the ballots after
17 the election.

18
19 (c) Every transfer of custody of ballots and election
20 materials shall be recorded with the date, time, persons involved
21 and the seal or container number, if applicable.

22
23 (d) All ballots and election materials shall be stored in
24 sealed containers under continuous video surveillance for not less
25 than twenty four (24) months after the election.

26
27 (e) All records and recordings described in this section are
28 public records, subject to reasonable protection of:

29
30 (i) Personal voter information as required by law;

31
32 (ii) Ballot security details as determined by rule of
33 the secretary of state as necessary to ensure the security of
34 elections.

35
36 **22-6-203. Publicly conducted manual counting of ballots.**
37

38 (a) Manual counting of ballots shall be conducted in public
39 view at the designated counting centers for each county or
40 precinct.

41
42 (b) Observers from political parties, candidates and the
43 public shall be permitted to observe the manual counting of ballots
44 under conditions established by rule of the secretary of state
45 that allow meaningful observation of the counting process without
46 interference.

1 (c) Areas where counting is occurring shall be recorded with
2 video and audio equipment, and recordings of the counting shall be
3 retained by the county clerk for not less than sixty (60) months.
4 Recordings under this subsection shall be made publicly available
5 on the website of the county clerk.
6

7 (d) Before counting begins under this section, election
8 judges shall verify publicly that all containers are sealed, shall
9 note the seal numbers and shall document the total number of
10 ballots received by ballot category as provided in W.S. 22 6
11 204(b) (v) .
12

13 (e) Counting shall begin as soon as practicable after the
14 closing of the polls and shall continue without undue delay until
15 all ballots are fully tallied, counted, reconciled and reported.
16

17 (f) Count totals by precinct and ballot type shall be made
18 public not later than one (1) hour after the completion of counting
19 under this section.
20

21 **22-6-204. Statewide standards for manual counting of ballots.**
22

23 (a) All ballots shall be counted by hand using a nationally
24 recognized hand counting methodology and in accordance with
25 uniform statewide counting standards adopted by the secretary of
26 state. The secretary of state shall use the USCase.org "Gold
27 Standard Elections" white paper guidelines to adopt rules under
28 this subsection.
29

30 (b) The uniform statewide counting standards adopted by the
31 secretary of state shall include at minimum:
32

33 (i) Ballot security features to prevent the use of
34 fraudulent printers and duplication systems;
35

36 (ii) Counting teams, including not less than four (4)
37 members of not less than two (2) different political affiliations,
38 with balanced representation of political parties to the extent
39 practicable;
40

41 (iii) Oaths of impartiality administered to all counting
42 personnel;
43

44 (iv) Standardized training in ballot handling,
45 determining voter intent, dispute resolution, tally recording,
46 reconciliation and custody documentation;
47

1 (v) Requiring ballots to be separated and counted in
2 three (3) categories:

3
4 (A) Absentee voting;

5
6 (B) Early voting;

7
8 (C) In person voting on the day of election.
9

10 (vi) Independent tallies by not less than two (2)
11 recorders per team, reconciled and signed before finalizing the
12 vote count;

13
14 (vii) Batch processing procedures allowing verification
15 and identification of discrepancies;

16
17 (viii) Reconciliation of ballots at each transfer of
18 ballots, including matching totals of issued, cast, spoiled,
19 provisional and unused ballots;

20
21 (ix) Documentation linking all tally sheets,
22 reconciliation forms and chain of custody records;

23
24 (x) Requiring all documentation to be duplicated and
25 available to be held as copies by head judges;

26
27 (xi) Requiring uniform incident logging for errors,
28 corrections and disputes;

29
30 (xii) Prohibiting the use of any apparatus that
31 automatically examines and counts votes recorded on paper ballots
32 or ballot cards and tabulates the results. Nothing in this
33 paragraph shall prohibit the use of simple calculators that are
34 used solely for arithmetic operations to sum manually counted
35 tallies.

36
37 (c) Each county shall use a manual counting method that is
38 consistent with the uniform statewide counting standards under
39 this section and that is approved by the secretary of state.
40

41 **22-6-205. Counting for absentee voting, early voting and**
42 **provisional ballots.**

43
44 (a) Ballots from absentee voting and early voting shall be
45 separately verified, stored by precinct and counted under the same
46 security and manual counting standards as ballots from in person
47 voting on the day of election.

1
2 (b) The outer envelope for each absentee ballot shall be
3 logged upon receipt with a unique identifier, date and time and
4 voter record linkage. Poll books shall be updated to reflect the
5 receipt of the absentee ballot.

6
7 (c) Signatures and voter eligibility shall be verified before
8 separation of the ballot from identifying information.

9
10 (d) Ballots failing verification shall be documented,
11 segregated and excluded from counting pending review by election
12 judges.

13
14 (e) Verified ballots shall be manually counted and included
15 in precinct level results.

16
17 (f) Provisional ballots shall be stored separately and shall
18 be manually counted after eligibility is confirmed.

19
20 **22-6-206. Timelines for counting; reporting of results.**

21
22 (a) Manual counting shall begin as soon as practicable after
23 the close of polls and shall continue without undue delay until
24 all ballots are fully tallied, counted, reconciled and reported.

25
26 (b) The secretary of state may authorize by rule an early
27 start of counting for ballots cast and secured prior to election
28 day, subject to secrecy and custody restrictions. The secretary of
29 state shall use the USCase.org "Gold Standard Elections" white
30 paper guidelines to adopt rules under this subsection.

31
32 (c) Each county clerk shall report verified precinct results
33 to the secretary of state as soon as practicable after counting is
34 complete. The secretary of state may establish counting and
35 reporting timelines by rule that are consistent with the
36 requirements of this article.

37
38 (d) Counties shall complete counting within the time limits
39 established under subsection (c) of this section, except in
40 extraordinary circumstances documented in the public record.

41
42 **22-6-207. Rulemaking; training.**

43
44 (a) The secretary of state shall adopt rules necessary to
45 implement this article, including establishing uniform statewide
46 standards for ballot design, chain of custody, manual counting,
47 reconciliation, training and public observation. The secretary of

1 state shall use the USCase.org "Gold Standard Elections" white
2 paper guidelines to adopt rules under this subsection.
3

4 (b) The secretary of state shall establish a standardized
5 curriculum for county clerks to train election officials, judges
6 and counting teams.
7

8 (c) Training sessions conducted under this section shall be
9 open to the public for observation. No person shall conduct
10 counting activities under this article unless the person has
11 completed the training required under this section.
12

13 **22-6-208. Meetings and notice requirements.**
14

15 (a) Except as provided in subsection (e) of this section, any
16 meeting of the county clerk or the secretary of state concerning
17 the counting, auditing, canvassing or recounting of ballots shall
18 be publicly noticed not less than seven (7) calendar days before
19 the meeting.
20

21 (b) Notice under subsection (a) of this section for a meeting
22 of the county clerk shall be posted on the county website, at the
23 county clerk's office and shall be published in a newspaper of
24 general circulation in the county.
25

26 (c) For county matters, the county clerk shall provide notice
27 of the meeting to the chairmen of all major political parties
28 within the county.
29

30 (d) For state matters, the secretary of state shall provide
31 notice of the meeting to the state chairmen of all major political
32 parties recognized in Wyoming.
33

34 (e) Emergency meetings may be held only to address urgent
35 issues and shall be publicly noticed as soon as practicable with
36 a statement of the emergency that required the emergency meeting.
37

38 (f) All meetings under this section shall be open to the
39 public. Any minutes or recordings of a meeting under this section
40 shall be made available to the public not later than seventy two
41 (72) hours after the adjournment of the meeting.
42

43 **22-6-209. Recounts.**
44

45 (a) Any recount required by law shall be performed manually
46 in accordance with the same standards and procedures as the initial
47 count.

1
2 (b) Recounts shall be conducted publicly, recorded on video
3 and audio as provided by W.S. 22 6 203(c) and the recordings shall
4 be retained for not less than eight (8) years.

5
6 **22-6-210. Prohibited practices and penalties.**

7
8 (a) No person shall use electronic voting equipment
9 including, but not limited to, tabulators, automated counting
10 equipment, e pollbooks or scanners in any election conducted under
11 this article. Nothing in this subsection shall prohibit the use of
12 simple calculators that are used solely for arithmetic operations
13 to sum manually counted tallies.

14
15 (b) Any election official or county clerk who knowingly
16 violates this article or rules adopted under this article shall be
17 a misdemeanor punishable by a fine of not more than five thousand
18 dollars (\$5,000.00) per violation. Nothing in this subsection
19 shall prohibit prosecution for any violation of chapter 26 of this
20 title resulting from a violation of this article.

21
22 (c) The attorney general or any county attorney may enforce
23 this section through civil or criminal proceedings."

24
25 Page 1-lines 13 through 15 Delete entirely.

26
27 Page 2-lines 1 through 3 Delete entirely and insert:

28
29 **"Section 3.** W.S. 22-1-102(a)(xi), (xxii), (xxxii),
30 (xxxiv)(B), (xlii), (xlix) and by creating new paragraphs (lvii)
31 through (lxx), 22-2-121(b) and (g), 22-3-113(a), 22-3-117(a)(i)
32 and (ii), 22-5-202, 22-6-115, 22-6-119(a)(iii), 22-6-121(a), 22-
33 6-122, 22-6-130, 22-8-108(b) and (c), 22-8-113, 22-8-115(a), 22-
34 9-109(a), 22-9-121(c)(i), 22-12-103, 22-12-107(a)(x), 22-12-115,
35 22-13-103(b), 22-13-110, 22-14-102, 22-14-107, 22-14-113(b), 22-
36 14-114(a), 22-15-105(a), 22-15-109(b), 22-16-103(c)(iv), 22-16-
37 109(a), 22-16-122(a)(intro) and (c), 22-21-109, 22-22-203(b), 22-
38 22-302, 22-26-103, 22-26-105, 22-26-106(a) by creating a new
39 paragraph (v), 22-26-112(a) by creating a new paragraph (xi), 22-
40 26-113(a)(intro), 22-26-114, 22-26-119 and 22-29-114(e)(intro) are
41 amended to read:".

42
43 Page 2-after line 11 Insert:

44
45 "(xi) "Counting center" or "hand counting center" is
46 the ~~location or locations designated~~ precinct established by the

1 county clerk for the ~~automatic tabulating and~~ manual counting and
2 tallying of ballots;

3
4 (xxii) "Pollbook" means a paper book, ~~or hardware,~~
5 ~~software or any combination thereof commonly referred to as an~~
6 ~~electronic pollbook,~~ used in a polling place on election day
7 containing information specified by law;

8
9 (xxxii) "Tally sheet" means the ~~document used to~~
10 ~~tabulate hand counted paper ballots~~ official form used by counting
11 teams and tally judges to record vote totals for each candidate
12 and ballot measure and that are required to be signed by all team
13 members participating in the manual count;

14
15 (xxxiv) "Voting device" means:

16
17 (B) A device for marking the ballots with ink or
18 another substance; ~~or~~".

19
20 Page 2-line 13 After "Recount" insert "or manual recount";
21 delete "counting of ballots by".

22
23 Page 2-line 14 Delete "hand or the"; strike "processing of
24 ballots through the tabulation".

25
26 Page 2-line 15 Strike "system for an additional time or
27 times"; strike "for the".

28
29 Page 2-line 16 Strike entirely.

30
31 Page 2-line 17 Strike "race, based upon the criteria of W.S.
32 22-16-109".

33
34 Page 2-line 18 Delete "through 22-16-113" and insert "second
35 or subsequent counting of ballots performed by
36 hand to verify results or resolve
37 discrepancies as required by law".

38
39 Page 2-after line 18 Insert:

40
41 "(xlix) "Vote center" means a polling place at which
42 any registered elector in the political subdivision holding the
43 election may vote, regardless of the precinct in which he resides; ~~;~~
44 ~~connected through secure internet connections to provide voting~~
45 ~~information to and receive voting information from the electronic~~
46 ~~pollbook maintained by the county clerk and used as an option to~~
47 ~~traditional polling places at the discretion of the county clerk;~~

1
2 (lvii) "Ballot reconciliation" means the process of
3 comparing the total number of ballots that are issued, cast,
4 spoiled, voted as provisional ballots and that are unused ballots
5 to verify that the totals match the number of ballots originally
6 received by a precinct or counting center;

7
8 (lviii) "Chain of custody" means the continuous
9 documentation of the possession, transfer and storage of ballots
10 and related election materials from printing through final
11 archival storage;

12
13 (lix) "Counting team" means a group of trained election
14 workers assigned to manually count ballots in public view;

15
16 (lx) "Early voting" means absentee voting before
17 election day where an elector requests a ballot in person from the
18 county clerk, completes the ballot on site and returns the ballot
19 to the clerk by hand;

20
21 (lxi) "Election judge" means a person appointed and
22 sworn under Wyoming law to oversee and manage the conduct of
23 elections, including counting, custody and reconciliation of
24 ballots and certification of results;

25
26 (lxii) "Election worker" means a paid or unpaid
27 volunteer assisting with duties necessary to conduct an election,
28 including ballot handling and manual counting of ballots;

29
30 (lxiii) "Hand counting" or "manual counting" means the
31 process of reading and tallying votes on paper ballots by human
32 inspection;

33
34 (lxiv) "Provisional ballot" means a ballot cast by a
35 voter whose eligibility to vote has not been verified;

36
37 (lxv) "Public observation" means members of the public,
38 poll watchers and representatives of political parties authorized
39 to be present and observe counting and reconciliation activities
40 without interfering with the conduct of the election;

41
42 (lxvi) "Reconciliation record" means the written
43 document that shows the verification of ballot totals at each stage
44 of the election process, including the total number of ballots
45 procured, issued, collected and counted;

1 (lxvii) "Tally judge" means an election judge
2 responsible for verifying and recording vote totals from counting
3 teams, reconciling independent tallies and certifying precinct
4 results for transmittal to the county clerk;

5
6 (lxviii) "USCase.org "Gold Standard Elections" white
7 paper guidelines" means the USCase.org "Gold Standard Elections"
8 white paper guidelines as revised on April 11, 2025 or thereafter
9 and published on the website of the United States council on
10 accurate and secure elections;

11
12 (lxix) "Voter ballot security," "voter ballot secrecy,"
13 "vote security" or "vote secrecy" means that the ballot is kept
14 secret for the period beginning the moment the voter picks up a
15 ballot through the moment the voter puts the ballot in the ballot
16 box. "Voter secrecy" shall not include any requirement to keep a
17 ballot secret after the ballot is deposited in the ballot box or
18 any requirement to protect the handwriting of the voter;

19
20 (lxx) "Voter intent standard" means criteria
21 established by rule of the secretary of state to use the USCase.org
22 "Gold Standard Elections" white paper guidelines to determine a
23 voter's intended choice on a ballot when markings are unclear or
24 incomplete and that is required to be applied uniformly across all
25 counties."

26
27 Page 2-lines 20 through 23 Delete entirely.

28
29 Page 3-lines 1 through 8 Delete entirely and insert:

30
31 **"22-2-121. Chief election officer to prepare forms; rules;**
32 **advice.**

33
34 (b) The secretary of state shall promulgate such rules as
35 are necessary to maintain uniform manual voting and ~~vote~~manual
36 counting procedures and to provide for orderly voting. The
37 secretary of state shall use the USCase.org "Gold Standard
38 Elections" white paper guidelines to adopt rules under this
39 subsection.

40
41 (g) The secretary of state shall adopt rules and regulations
42 that allow for the ~~counting of ballots at a central counting~~
43 ~~center. The rules shall specify procedures for delivering ballots~~
44 ~~to the central counting center~~ manual counting of ballots at a
45 hand counting center. The secretary of state shall use the
46 USCase.org "Gold Standard Elections" white paper guidelines to
47 adopt rules under this subsection.

1
2 **22-3-113. Disposition of pollbooks after polls close.**

3
4 (a) After the polls are closed, judges of the election shall
5 ~~make~~ confirm that the printed pollbooks agree and shall return one
6 (1) pollbook to the county clerk.
7

8 **22-3-117. Absentee registration generally; use of federal**
9 **postcard.**

10
11 (a) Notwithstanding any other section or provision in this
12 chapter, any citizen of the United States who is a resident of
13 Wyoming may apply for registration by providing the information
14 required by W.S. 22-3-103(a), acceptable identification, proof of
15 United States citizenship and proof of residence and by completing
16 and subscribing the form of voter registration oath prescribed by
17 W.S. 22-3-103(b) before any person authorized by law to administer
18 oaths. Each county clerk shall furnish the voter registration oath
19 forms. The applicant shall mail or return the completed voter
20 registration oath form to the county clerk in the county in which
21 the applicant resides. In order to vote in the next election, the
22 application must be received in the county clerk's office before
23 the close of registration for that election, or:
24

25 (i) Be received by mail or email and processed by the
26 county clerk during the closed period described in W.S. 22-3-102(a)
27 if it is accompanied by an absentee ballot request for elections
28 where a voter may register at the polls; or
29

30 (ii) Be made at the county clerk's office during the
31 closed period described in W.S. 22-3-102(a) if the voter
32 simultaneously votes at the county clerk's office; ~~or~~
33

34 **22-5-202. Major political party participation; separate**
35 **ballots; same time.**

36
37 Major political parties shall participate in the primary election
38 and each shall have a separate party ballot. The primary election
39 of major political parties shall be held at the same time and at
40 the same polling places and shall be conducted by the same election
41 officials. The results of the primary election shall be counted
42 manually in accordance with the procedures specified in this
43 Election Code.
44

45 **22-6-115. Specifications for paper ballots.**
46

1 Official paper ballots shall be uniform in size, printed in black
2 ink on good quality paper through which printing cannot be read.
3 Ballots shall be white, ~~except as otherwise provided. On a voting~~
4 ~~machine each column or row containing the titles of offices and~~
5 ~~candidates for office shall be arranged~~ shall be formatted to
6 indicate clearly the office for which a candidate is running and
7 shall be suitable for manual counting in accordance with W.S.
8 22-6-201.

9
10 **22-6-119. Format of primary ballot.**

11
12 (a) The primary ballot of each major political party shall
13 be printed in substantial compliance with this format:

14
15 (iii) On the second line shall be printed the following
16 instructions: "To vote for a person whose name is printed on the
17 ballot, mark the square immediately adjacent to the name of the
18 person for whom you desire to vote. To vote for a person whose
19 name is not printed on the ballot, write the person's name in the
20 blank space provided for that purpose and mark the square
21 immediately adjacent to the name of the person. Ballots will be
22 manually counted.

23
24 **22-6-121. Political party ballot position on general**
25 **election ballot; order of candidates' names.**

26
27 (a) Political party position shall be determined on the
28 general election ballot according to the number of votes received
29 by each party within the county for the office of representative
30 in congress at the last preceding general election. The party
31 receiving the highest number of votes shall appear first following
32 the names of the offices to be voted for and other parties shall
33 follow in the order of their respective numbers of such votes.
34 The order of any provisional parties will be drawn by the secretary
35 of state. Any independent candidates shall appear following the
36 last party and shall be listed in alphabetical order, subject to
37 rotation. When more than one (1) candidate is to be elected to a
38 particular office, the names of candidates shall be printed in
39 alphabetical order, subject to rotation, on all ballots. ~~for~~
40 ~~electronic and machine voting systems as defined by W.S. 22-1-102.~~

41
42 **22-6-122. Rotation of candidates' names.**

43
44 The names of candidates for each office shall be rotated on all
45 ballots by precinct for all elections. In each county the name of
46 each candidate shall appear substantially an equal number of times
47 at the top, at the bottom, and in each intermediate place. ~~In a~~

1 ~~voting machine polling place,~~ If candidates for the same office
2 occupy more than one (1) line on the ~~voting machine ballot,~~ the
3 number of names appearing on each line shall be as nearly equal as
4 possible.

5
6 **22-6-130. Post-election ballot audit; ballot**
7 **reconciliation.**
8

9 (a) Each county clerk shall complete an audit of the county's
10 unofficial election results by identifying and reviewing ~~the~~
11 ~~smallest observable percentage not less than ten percent (10%) of~~
12 ~~the cast ballots in each contest in the county~~ between the
13 statewide candidates who received the most votes and the statewide
14 candidates who received the second highest votes. ~~for each contest~~
15 ~~within the county not later than the first Thursday following a~~
16 ~~primary, special or general election.~~ Additional contests may be
17 added to the audit at the discretion of the county clerk. ~~Using a~~
18 ~~formula developed by the University of Wyoming, each county clerk~~
19 ~~shall use the smallest observable percentage to determine a~~
20 ~~statistically significant sample size of the ballots to be audited~~
21 ~~under this section. To ensure the timely completion of this~~
22 ~~procedure under this subsection, the number of ballots audited~~
23 ~~shall not exceed five percent (5%) of the total number of ballots~~
24 ~~cast.~~

25
26 (b) Each county clerk shall ~~conduct an audit of the election~~
27 ~~using the statistically significant ballot sample size and the~~
28 ~~corresponding ballots for the contests selected for audit~~
29 ~~determined under subsection (a) of this section. Each county clerk~~
30 ~~shall provide the audit results to the secretary of state not later~~
31 ~~than one (1) day before the meeting of the state canvassing board~~
32 ~~as provided in W.S. 22-16-118~~ ensure that the total number of
33 ballots is reconciled at each stage of the election process.
34 Reconciliation includes determining:

35
36 (i) The starting number of ballots procured or printed
37 in preparation for an election;

38
39 (ii) The starting number of ballots issued to each
40 polling location;

41
42 (iii) The total number of ballots printed on demand,
43 including any ballot produced by an accessible voting device
44 permitted under federal law to comply with the Help America Vote
45 Act of 2002, P.L. 107-252;
46

1 (iv) The number of ballots distributed by mail or
2 in-person, categorized by whether the ballot was distributed for
3 absentee voting, early voting or in-person voting on the day of
4 the election;

5
6 (v) The number of ballots cast by any method;

7
8 (vi) The number of spoiled ballots;

9
10 (vii) The number of ballots remaining at the close of
11 polls that were not issued or case; and

12
13 (viii) The number of provisional ballots.

14
15 (c) The total number of ballots accounted for under
16 subsection (b) of this section shall equal the initial total of
17 blank ballots provided, plus any ballot printed on demand as
18 provided by paragraph (b)(iii) of this section. Reconciliation
19 shall be conducted by hand and documented, ensuring no
20 discrepancies exist before proceeding to the audit under
21 subsection (a) of this section.

22
23 (d) If there is discrepancy in counting under subsection (a)
24 of this section or in reconciliation under subsections (b) and (c)
25 of this section, the secretary of state shall be immediately
26 notified and an investigation shall be initiated by the county
27 canvassing board to identify the cause of the discrepancy. If the
28 reason for the discrepancy cannot be determined beyond a reasonable
29 doubt the county canvassing board shall declare any affected part
30 of the election results to be null and void and the provisions of
31 W.S. 22-16-122 shall apply to the election.

32
33 (e) For purposes of this section, the audit under subsection
34 (a) of this section shall include recording and verifying the votes
35 cast for each race appearing on a ballot. Reconciliation under
36 subsections (b) and (c) of this section means reconciling and
37 confirming the total number of ballots issued compared to the
38 number of ballots that were not issued, the number of ballots that
39 were cast, the number of ballots that were spoiled and the number
40 of provisional ballots.

41
42 (f) Each county clerk shall provide the audit results under
43 subsection (a) of this section and the full and completed
44 reconciliation of ballot totals under subsections (b) and (c) of
45 this section to the secretary of state not later than three (3)
46 days before the meeting of the state canvassing board as provided
47 in W.S. 22-16-118. Audit results and reconciliation reports filed

1 with the secretary of state under this subsection shall be made
2 publicly available on the website of the secretary of state.".

3
4 Page 3-lines 13 through 22 Delete entirely and insert:

5
6 "(b) A counting board shall be appointed for each designated
7 counting center in each county. ~~using an electronic voting system.~~
8 The board shall consist of at least seven (7) members who shall be
9 the county clerk or his designated deputy, and three (3) members
10 of each major political party appointed by the ~~county clerk~~ central
11 committee of each party. Additional members may be appointed by
12 the ~~county clerk~~ central committee of each party if deemed
13 necessary by the county clerk but equal major party membership
14 shall be assured. No more than one (1) person under the age of
15 eighteen (18) may be appointed as to each counting board. All
16 ballots shall be counted manually by the counting board.".

17
18 Page 4-line 2 Delete "appointed under subsection (a) of this
19 section".

20
21 Page 4-lines 5 through 7 Strike entirely.

22
23 Page 4-line 8 Strike "election day as provided in W.S. 22-
24 9-125(d)" and insert "22-9-206(b)".

25
26 Page 4-lines 10 through 21 Delete entirely and insert:

27
28 **"22-8-113. Training schools; generally and payment for**
29 **attending.**

30
31 Not later than four (4) days before the primary and general
32 election, the county clerk under the direction of the secretary of
33 state shall conduct a training school for judges of election and
34 members of counting boards to provide instruction in the
35 performance of their duties. The training school, which is also
36 open to the public, shall be held at the times and places announced
37 by the county clerk, and the secretary of state shall prescribe
38 the minimum curriculum for the school including manual hand
39 counting procedures as provided in W.S. 22-6-207. Additional
40 schools may be held at the discretion of the county clerk. ~~Unless~~
41 ~~training is otherwise provided to the satisfaction of the county~~
42 ~~clerk,~~ All judges of election and members of counting boards are
43 obligated to attend at least one (1) such school. All judges and
44 members of the counting board, unless the judge or member is
45 volunteering, shall be paid not less than ten dollars (\$10.00) as
46 determined by the board of county commissioners for attending a
47 school.

1
2 **22-8-115. Oath for election officials.**

3
4 (a) An election official shall subscribe to this oath in
5 writing before entering upon his duties at each election:

6
7 "I do solemnly swear (or affirm) that I will impartially and to
8 the best of my knowledge and ability perform the election duties
9 of my office or role. I will studiously endeavor to prevent all
10 frauds, deceit and abuse in the application of the election laws
11 of this state."
12

13 **22-9-109. Form of absentee ballot.**

14
15 (a) The absentee ballot shall be in the same form prescribed
16 by law for the official ballot. ~~or a reasonable printed~~
17 ~~reproduction of the prescribed form for electronic ballots.~~
18

19 **22-9-121. Examination of absentee ballot affidavit;**
20 **rejection; voting ballots.**

21
22 (c) If it is sufficient:

23
24 (i) In ~~a paper ballot~~ each precinct, the name of the
25 absent elector shall be entered in the pollbook, the inner ballot
26 envelope shall be opened by a judge of election and the ballots
27 therein shall be removed. The ballot shall then be placed in the
28 regular ballot box by a judge of election and manually counted in
29 the same manner as other ballots;
30

31 **22-12-103. Furnishing of booths.**

32
33 The county clerk in all elections shall furnish each polling place
34 with sufficient booths, paper ballots ~~or voting machines~~ and
35 supplies to permit convenient and secret marking of ballots.
36

37 **22-12-107. Materials for judges.**

38
39 (a) Before election day the county clerk shall cause to be
40 delivered to one (1) of the judges of election in each polling
41 place the following materials:

42
43 (x) Materials necessary for hand counting ballots and
44 other necessary supplies.
45

46 **22-12-115. Examination of ballot box.**

47

1 Not earlier than twenty-four (24) hours before the polls are open,
2 the judges of election shall open and examine the ballot box to
3 determine that it is empty and relock it with a tamper resistant
4 device before the polls are open. The ballot box shall not again
5 be opened until the polls are closed, ~~except when necessitated by~~
6 ~~operation of the voting equipment at the direction of the county~~
7 ~~clerk and only in the presence of two (2) or more election judges~~
8 ~~with different political party affiliations~~. It shall not be
9 removed from the presence of the judges of election or counting
10 board until all ballots are counted and recorded as required by
11 law and in the presence of two (2) or more election judges with
12 different political party affiliation.

13
14 **22-13-103. Preservation of order; privacy of voting booths.**

15
16 (b) To protect the privacy of the voter, voting booths ~~and~~
17 ~~voting machines~~ shall be kept clear of all persons except voters
18 marking ballots and election officials discharging their duties.
19

20 **22-13-110. Entering write-in votes.**

21
22 Write-in votes may be entered ~~on a voting machine~~ on the ballot in
23 the manner indicated by instructions posted on the voting booth or
24 ~~indicated on the voting machine~~ provided on the ballot.

25
26 **22-14-102. Who may be present after all votes are cast and**
27 **polls close; making pollbooks agree; counting votes.**

28
29 After all the votes are cast and the polls are officially declared
30 closed, only election judges and authorized observers as provided
31 in W.S. 22-15-109 shall be permitted in a polling place. ~~When all~~
32 ~~ballots are cast, the machine shall be locked against further~~
33 ~~voting and sealed as prescribed by law. Except as otherwise~~
34 ~~provided by W.S. 22-14-114(b), election judges shall commence to~~
35 ~~count votes and shall continue without adjournment until counting~~
36 ~~is completed~~ Election judges shall ensure reconciliation of all
37 ballots as provided in W.S. 22-6-130(b) and (c) and shall then
38 secure all ballots within locked boxes secured with tamper proof
39 devices for transfer to the precinct polling center. Hand counting
40 of ballots shall commence immediately upon arrival at the counting
41 center as provided in W.S. 22-6-201 through 22-6-210.

42
43 **22-14-107. Tabulation of count.**

44
45 The unofficial tabulation indicating the vote by precinct, based
46 on hand count results, shall immediately be transmitted by the
47 county clerk to the secretary of state. These unofficial

1 tabulations shall be tabulated by the secretary of the state. The
2 secretary of state shall provide procedures for such transmittal
3 through rule and regulation.

4
5 **22-14-113. Return of voting supplies.**

6
7 (b) All voting supplies, ballot boxes, ~~and voting machines~~
8 hand counting materials and hand tallying materials shall be
9 returned to the county clerk as soon as possible after the vote
10 has been returned.".

11
12 Page 5-lines 2 through 22 Delete entirely.

13
14 Page 6-lines 1 through 9 Delete entirely and insert:

15
16 " (a) ~~For ballots designed to be counted by machine, each~~
17 ~~individual vote shall be determined by the voting equipment and~~
18 ~~shall not be determined subjectively by human tabulation except~~
19 ~~when the intent of the voter is unmistakable but the ballot was~~
20 ~~received in such damaged, soiled, or other condition that it is~~
21 ~~rejected by the machine. The secretary of state may promulgate~~
22 ~~rules establishing standards for counting such ballots. For~~
23 ~~ballots not designed to be counted by machine,~~ Only votes clearly
24 marked, as provided by W.S. 22-14-104 and rules promulgated
25 pursuant to this code, shall be tallied. For write-in votes, names
26 which are misspelled or abbreviated or the use of nicknames of
27 candidates shall be counted for the candidate if the vote is
28 obvious to the ~~board~~ counting team.

29
30 **22-15-105. Challenged person may vote; generally.**

31
32 (a) If a person offering to vote is challenged, and the
33 challenge is not resolved in accordance with W.S. 22-15-106, an
34 election judge shall offer the voter a ballot clearly marked
35 "provisional" and which ~~cannot be automatically tabulated~~ shall be
36 securely stored separately from other ballots. Provisional ballots
37 shall be counted separately from other ballots after the voter has
38 been verified by election officials.

39
40 **22-15-109. Poll watchers; certification; qualification;**
41 **authority; removal.**

42
43 (b) A poll watcher shall belong to the political party he
44 represents and shall be a registered elector residing in the
45 county. A poll watcher shall serve only at the polling place
46 designated on the certificate. A poll watcher is authorized to
47 observe voter turn out, ~~and~~ registration and hand counting

1 procedures and may make written memoranda but shall not challenge
2 voters, conduct electioneering activities, interfere with ballot
3 counting or disrupt the polling process.

4
5 **22-16-103. County canvass procedures.**

6
7 (c) The county canvassing board shall:

8
9 (iv) ~~Count and tabulate~~ Hand count and tally the votes
10 on the provisional ballots which were determined to have been cast
11 by qualified electors;".

12
13 Page 6-line 13 Strike "make a" and insert "perform a manual".

14
15 Page 6-line 16 Delete "under this subsection may" and insert
16 "shall"; delete "by a" and insert "using the".

17
18 Page 6-lines 17 and 18 Delete entirely and insert "counting
19 procedures provided in W.S. 22-6-101 through
20 22-6-210.".

21
22 Page 6-lines 20 and 21 Delete entirely.

23
24 Pages 7 through 15 Delete entirely and insert:

25
26 **"22-16-122. Election declared null and void; special**
27 **election.**

28
29 (a) If a canvassing board is unable to determine which
30 candidate has been elected or nominated, the canvassing board shall
31 declare any part of the election results to be null and void as to
32 that office and the county clerk shall call a special election to
33 make a decision. For purposes of this section, a canvassing board
34 shall be unable to determine which candidate is nominated or
35 elected if there is a discrepancy reported under W.S. 22-6-130(d)
36 and the discrepancy resulted in a material error in the election
37 or if:

38
39 (c) If only certain precincts are allowed to vote in the
40 special election, the votes received in the special election shall
41 be hand counted and added to the unofficial results not declared
42 null and void for that office from the initial primary, general
43 election or other special election.

44
45 **22-21-109. Supplies; regulations; costs.**

1 The county clerk ~~may utilize voting machines or electronic voting~~
2 ~~systems~~ shall use paper ballots that are counted by hand at any
3 bond election and may prescribe the form of the ballot, the duties
4 of election officials, and other reasonable regulations pertaining
5 thereto. The political subdivision holding the bond election shall
6 pay the actual costs of the election or an equitably proportioned
7 share of a concurrent election, as determined by the county clerk.
8

9 **22-22-203. Determining validity of application; placement on**
10 **ballot; procedure for multi-county districts.**
11

12 (b) Each county clerk in each election involving a school or
13 community college district which crosses county boundaries shall
14 ~~determine whether voting machines, electronic voting system, paper~~
15 ~~ballots, or a combination thereof, shall be used to insure~~ use
16 paper ballots that are counted by hand to ensure that each
17 qualified elector votes only for the candidate or candidates from
18 the school district and trustee residence area, if any, and from
19 the community college district and subdistrict, if any, for which
20 he is entitled to vote.
21

22 **22-22-302. Conduct of elections.**
23

24 Unless specifically otherwise provided, a school or community
25 college district election shall be governed by the laws regulating
26 statewide elections and in even-numbered years be conducted and
27 canvassed by the same election officials, using the same poll
28 lists, using paper ballots that are counted by hand and at the
29 same times and polling places, as county elections.
30

31 **22-26-103. Unlawful opening of ballot box; tampering with**
32 **ballot counting materials.**
33

34 Unlawful opening of a ballot box or tampering with ballot counting
35 materials consists of opening, inspecting, removing or altering
36 the contents of a ballot box or ~~inspecting or removing the contents~~
37 ~~thereof~~ tampering with hand count records or tally sheets without
38 lawful authority, or conspiring with others ~~so to open a ballot~~
39 ~~box to violate the provisions of this section.~~
40

41 **22-26-105. Unlawful possession of key.**
42

43 Unlawful possession of a key consists of the possession at any
44 time of a key to a ~~voting machine or~~ ballot box, ~~or making a~~
45 ~~duplicate thereof,~~ or tampering with a physical lock on a box that
46 is securing ballots, unless authorized by law.
47

1 **22-26-106. False voting.**

2
3 (a) False voting consists of performing any of the following
4 acts in connection with or related to the election process or an
5 election:

6
7 (v) Changing voting results including by inserting
8 unlawful ballots in a ballot box or by tampering with hand count
9 records, hand count tally sheets, vote reconciliation forms or
10 other official election logs.

11
12 **22-26-112. Misdemeanor offenses generally.**

13
14 (a) Unless a different penalty is specifically provided in
15 this code, the following acts, if knowingly and willfully
16 committed, are misdemeanor offenses punishable by not more than
17 six (6) months in a county jail or a fine of not more than one
18 thousand dollars (\$1,000.00), or both:

19
20 (xi) Interfering with the hand counting of ballots or
21 with the reconciliation of ballots and tally sheets.

22
23 **22-26-113. Electioneering too close to a polling place.**

24
25 (a) Electioneering too close to a polling place ~~or absentee~~
26 ~~polling place under W.S. 22-9-125~~ when voting is being conducted,
27 consists of any form of campaigning, including the display of
28 campaign signs or distribution of campaign literature, the
29 soliciting of signatures to any petition or the canvassing or
30 polling of voters, except exit polling by news media, within one
31 hundred (100) yards on the day of a primary, general or special
32 election and within one hundred (100) feet on all other days, of
33 any public entrance to the building in which the polling place is
34 located. This section shall not apply to bumper stickers affixed
35 to a vehicle while parked within or passing through the distance
36 specified in this subsection, provided that:

37
38 **22-26-114. Disturbing polling place.**

39
40 Disturbing a polling place consists of creating any disorder or
41 disruption at a polling place on election day, ~~or absentee polling~~
42 ~~place under W.S. 22-9-125,~~ or interfering with the orderly conduct
43 of an election.

44
45 **22-26-119. Violation of Election Code by officials.**

1 Violation of the Election Code by an official consists of the
2 ~~willful~~-violation of the Election Code by any official or by any
3 deputy or assistant official, or the ~~willful~~-failure or refusal of
4 any official or assistant to perform an act or duty required of
5 him by the Election Code, including the failure to track ballot
6 totals at any time starting at the beginning of the election,
7 failure to ensure compliance with hand count procedures, tampering
8 with hand count tally sheets or neglecting any duty for hand
9 counting as prescribed by law. Any official, deputy or assistant
10 who commits a violation of the Election Code is guilty of a felony
11 and, in addition to the penalty prescribed by W.S. 22-26-101, is
12 subject to removal from office in a proceeding instituted for that
13 purpose.

14
15 **22-29-114. Election procedures for elections other than mail**
16 **ballot elections; canvass, recount and contests.**

17
18 (e) Any special district election conducted by the county
19 clerk shall be canvassed by the county canvassing board or a
20 canvassing board appointed by the county clerk, consisting of two
21 (2) electors and the county clerk. If more than one (1) county is
22 involved, the election shall be canvassed in accordance with
23 chapter 16 of the Wyoming Election Code of 1973, as amended, by a
24 canvassing board drawn from the membership of the appropriate
25 county canvassing boards appointed by the appropriate county
26 commissioners. The commissioners shall notify the county clerks of
27 the canvassing board appointments. Any special district election
28 not conducted by a county clerk shall be canvassed by a special
29 district canvassing board. The special district canvassing board
30 shall consist of the district secretary and two (2) electors
31 appointed by the district board. Any canvass shall be conducted in
32 accordance with chapter 16 of the Wyoming Election Code of 1973,
33 as amended. The canvass shall be conducted within seven (7)
34 business days of the election and shall include a manual review of
35 all hand counted ballots to ensure accuracy. The canvassing board
36 shall have the authority to call for a special election in
37 accordance with W.S. 22-16-122 if any discrepancies in the hand
38 count are identified and cannot be resolved beyond a reasonable
39 doubt. The canvassing board shall:

40
41 **Section 4.** W.S. 22-1-102(a)(i), (iii), (xiv), (xxxiv)(C),
42 (xliv) and (liv), 22-3-113(b), 22-3-117(a)(iii), 22-6-113,
43 22-8-107, 22-9-121(c)(ii), 22-9-125, 22-12-107(a)(v), 22-12-110,
44 22-12-112 through 22-12-114, 22-13-109, 22-13-112, 22-14-105,
45 22-14-110, 22-14-111(a)(i), 22-14-113(a), 22-26-101(a)(iii) and
46 (xi) and 22-26-104 are repealed.

1 **Section 5.** This act shall apply to all elections in Wyoming
2 after January 1, 2026.

3
4 **Section 6.** This act is effective immediately upon completion
5 of all acts necessary for a bill to become law as provided by
6 Article 4, Section 8 of the Wyoming Constitution.". BRADY