

1 Delete the first Brady third reading amendment (HB0052H3001/A)  
2 entirely and further amend as follows:

3  
4 Page 1-line 6 After "recounts;" insert "establishing  
5 statewide standards related to handling and  
6 counting ballots;".

7  
8 Page 1-line 8 After "amendments;" insert "providing  
9 definitions; providing legislative findings;  
10 repealing provisions relating to electronic  
11 voting systems;".

12  
13 Page 1-after line 11 Insert:

14  
15 **"Section 1.**

16  
17 (a) The legislature finds that:

18  
19 (i) Public confidence in election outcomes depends on  
20 processes that are transparent, verifiable, pure and secure;

21  
22 (ii) Wyoming's current electronic voting systems are  
23 operating with non-certified peripheral equipment under EVS  
24 6.0.60, including Dell Latitude 3500 laptops, OKI712 ballot-on-  
25 demand printers and SYSTOR duplicators, none of which are certified  
26 with EVS 6.0.60, thereby voiding EAC certification for those  
27 systems pursuant to the EAC Testing and Certification Manual,  
28 Version 2.0;

29  
30 (iii) Wyoming's voting systems run on Windows 10, an  
31 operating system no longer supported by Microsoft as of October  
32 2025 and the cost of purchasing individual extended support waivers  
33 for each of the three hundred fifty (350) plus voting systems in  
34 the state is prohibitive;

35  
36 (iv) Wyoming's voting systems are certified to VVSG 1.0  
37 and no upgrade path exists to bring those systems into compliance  
38 with VVSF 2.0 as directed by a federal executive order;

39  
40 (v) Wyoming's voting systems have not received antivirus  
41 updates since June 8, 2022, which renders these voting systems  
42 vulnerable to security threats;

43

1 (vi) Wyoming's voting systems use barcodes that are not  
2 voter-verifiable, which is in conflict with a federal executive  
3 order that directs that no barcodes shall be used in vote  
4 tabulation;

5  
6 (vii) Manual recounts under uniform statewide standards  
7 will increase election accuracy, transparency and voter trust.

8  
9 (b) The purpose of this act is to require recounts in Wyoming  
10 to be manual recounts in public view under uniform statewide  
11 standards ensuring transparency, security, accuracy, accessibility  
12 and public confidence.

13  
14 **Section 2.** W.S. 22-6-201 through 22-6-205 and 22-16-124 are  
15 created to read:

16  
17 ARTICLE 2  
18 MANUAL BALLOT COUNTING AND AUDITING

19  
20 **22-6-201. Ballot security, custody, transport and storage.**

21  
22 (a) The secretary of state shall adopt uniform statewide  
23 standards for the secure production, transport, storage and  
24 accounting of ballots that are consistent with the provisions of  
25 this article without the elimination of voting machines.

26  
27 (b) Each county clerk shall maintain a documented chain of  
28 custody for all ballots and election materials from printing or  
29 receipt of the ballots through final storage of the ballots after  
30 the election.

31  
32 (c) Every transfer of custody of ballots and election  
33 materials shall be recorded with the date, time, persons involved  
34 and the seal or container number, if applicable.

35  
36 (d) All ballots and election materials shall be stored in  
37 sealed containers under continuous video surveillance for not less  
38 than twenty-four (24) months after the election.

39  
40 (e) All records and recordings described in this section are  
41 public records, subject to reasonable protection of:

42  
43 (i) Personal voter information as required by law;

44  
45 (ii) Ballot security details as determined by rule of  
46 the secretary of state as necessary to ensure the security of  
47 elections.

1  
2           **22-6-202. Publicly conducted manual counting of ballots.**  
3

4           (a) Manual counting of ballots shall be conducted in public  
5 view at the designated counting centers for each county or  
6 precinct.  
7

8           (b) Observers from political parties, candidates and the  
9 public shall be permitted to observe the manual counting of ballots  
10 under conditions established by rule of the secretary of state  
11 that allow meaningful observation of the counting process without  
12 interference.  
13

14           (c) Areas where counting is occurring shall be recorded with  
15 video and audio equipment, and recordings of the counting shall be  
16 retained by the county clerk for not less than sixty (60) months.  
17 Recordings under this subsection shall be made publicly available  
18 on the website of the county clerk.  
19

20           (d) Before counting begins under this section, election  
21 judges shall verify publicly that all containers are sealed, shall  
22 note the seal numbers and shall document the total number of  
23 ballots received by ballot category as provided in W.S.  
24 22-6-204(b) (v).  
25

26           (e) Counting shall begin as soon as practicable after the  
27 closing of the polls and shall continue without undue delay until  
28 all ballots are fully tallied, counted, reconciled and reported.  
29

30           (f) Count totals by precinct and ballot type shall be made  
31 public not later than one (1) hour after the completion of counting  
32 under this section.  
33

34           **22-6-203. Statewide standards for manual counting of**  
35 **ballots.**  
36

37           (a) All ballots shall be counted by hand using a nationally  
38 recognized hand counting methodology and in accordance with  
39 uniform statewide counting standards adopted by the secretary of  
40 state. The secretary of state shall use the USCAs.org "Gold  
41 Standard Elections" white paper guidelines to adopt rules under  
42 this subsection.  
43

44           (b) The uniform statewide counting standards adopted by the  
45 secretary of state shall include at minimum:  
46

1 (i) Ballot security features to prevent the use of  
2 fraudulent printers and duplication systems;

3  
4 (ii) Counting teams, including not less than four (4)  
5 members of not less than two (2) different political affiliations,  
6 with balanced representation of political parties to the extent  
7 practicable;

8  
9 (iii) Oaths of impartiality administered to all  
10 counting personnel;

11  
12 (iv) Standardized training in ballot handling,  
13 determining voter intent, dispute resolution, tally recording,  
14 reconciliation and custody documentation;

15  
16 (v) Requiring ballots to be separated and counted in  
17 three (3) categories:

18 (A) Absentee voting;

19 (B) Early voting;

20 (C) In-person voting on the day of election.

21  
22  
23 (vi) Independent tallies by not less than two (2)  
24 recorders per team, reconciled and signed before finalizing the  
25 vote count;

26  
27 (vii) Batch processing procedures allowing  
28 verification and identification of discrepancies;

29  
30 (viii) Reconciliation of ballots at each transfer of  
31 ballots, including matching totals of issued, cast, spoiled,  
32 provisional and unused ballots;

33  
34 (ix) Documentation linking all tally sheets,  
35 reconciliation forms and chain-of-custody records;

36  
37 (x) Requiring all documentation to be duplicated and  
38 available to be held as copies by head judges;

39  
40 (xi) Requiring uniform incident logging for errors,  
41 corrections and disputes;

42  
43 (xii) Prohibiting the use of any apparatus that  
44 automatically examines and counts votes recorded on paper ballots  
45 or ballot cards and tabulates the results. Nothing in this  
46  
47

1 paragraph shall prohibit the use of simple calculators that are  
2 used solely for arithmetic operations to sum manually counted  
3 tallies.

4  
5 (c) Each county shall use a manual counting method that is  
6 consistent with the uniform statewide counting standards under  
7 this section and that is approved by the secretary of state.

8  
9 **22-6-204. Recounts.**

10  
11 (a) Any recount required by law or requested by a candidate,  
12 the county clerk or the secretary of state shall be performed  
13 manually in accordance with the same standards and procedures set  
14 forth in W.S. 22-6-201 through 22-6-203.

15  
16 (b) Recounts shall be conducted publicly, recorded on video  
17 and audio as provided by W.S. 22-6-203(c) and the recordings shall  
18 be retained for not less than eight (8) years.

19  
20 **22-6-205. Rulemaking; training.**

21  
22 (a) The secretary of state shall adopt rules necessary to  
23 implement this article, including establishing uniform statewide  
24 standards for chain of custody, manual counting, reconciliation,  
25 training and public observation.

26  
27 (b) The secretary of state shall establish a standardized  
28 curriculum for county clerks to train election officials, judges  
29 and counting teams.

30  
31 (c) Training sessions conducted under this section shall be  
32 open to the public for observation. No person shall conduct  
33 counting activities under this article unless the person has  
34 completed the training required under this section.

35  
36 **22-16-124. Notice requirements for recounts and audits.**

37  
38 (a) Except as provided in subsection (d) of this section, any  
39 meeting of the county clerk or the secretary of state concerning  
40 the counting, auditing, canvassing or recounting of ballots shall  
41 be publicly noticed not less than seven (7) calendar days before  
42 the meeting.

43  
44 (b) Notice under subsection (a) of this section for a meeting  
45 of the county clerk shall be posted on the county website, at the  
46 county clerk's office and shall be published in a newspaper of  
47 general circulation in the county.

1  
2 (c) The county clerk shall provide notice of the meeting to  
3 the chairman of all major political parties within the county.  
4

5 (d) Emergency meetings may be held only to address urgent  
6 issues and shall be publicly noticed as soon as practicable with  
7 a statement of the emergency that required the emergency meeting.  
8

9 (e) All meetings under this section shall be open to the  
10 public. Any minutes or recordings of a meeting under this section  
11 shall be made available to the public not later than seventy-two  
12 (72) hours after the adjournment of the meeting."  
13

14 Page 1-line 13 Delete "**Section 1.**" and insert "**Section 3.**";  
15 delete "22-1-102(a)(xlii)" and insert "22-1-  
16 102(a)(xi), (xlii) and by creating new  
17 paragraphs (lvii) through (lxiv), 22-6-115,  
18 22-6-130".  
19

20 Page 1-line 14 After "(e)," insert "22-8-113, 22-14-102,".  
21

22 Page 2-after line 11 Insert:  
23

24 "(xi) "Counting center" is the location or locations  
25 designated by the county clerk for the ~~automatic tabulating and~~  
26 manual counting and tallying of ballots;  
27

28 Page 2-after line 18 Insert:  
29

30 (lvii) "Ballot reconciliation" means the process of  
31 comparing the total number of ballots that are issued, cast,  
32 spoiled, voted as provisional ballots and that are unused ballots  
33 to verify that the totals match the number of ballots originally  
34 received by a precinct or counting center;  
35

36 (lviii) "Chain of custody" means the continuous  
37 documentation of the possession, transfer and storage of ballots  
38 and related election materials from printing through final  
39 archival storage;  
40

41 (lix) "Counting team" means a group of trained election  
42 workers assigned to manually count ballots in public view;  
43

44 (lx) "Hand counting" or "manual counting" means the  
45 process of reading and tallying votes on paper ballots by human  
46 inspection;  
47

1            (lxi) "Public observation" means members of the public,  
2 poll watchers and representatives of political parties authorized  
3 to be present and observe counting and reconciliation activities  
4 without interfering with the conduct of the election;

5  
6            (lxii) "Reconciliation record" means the written  
7 document that shows the verification of ballot totals at each stage  
8 of the election process, including the total number of ballots  
9 procured, issued, collected and counted;

10  
11           (lxiii) "Tally sheet" means the document used to record  
12 vote totals for each candidate and ballot measure during a hand  
13 count, required to be signed by all team members participating in  
14 the manual count;

15  
16           (lxiv) "Voter intent standard" means criteria  
17 established by rule of the secretary of state, using the USCase.org  
18 "Gold Standard Elections" white paper guidelines to determine a  
19 voter's intended choice on a ballot when markings are unclear or  
20 incomplete and that is required to be applied uniformly across all  
21 counties.

22  
23           **22-6-115. Specifications for paper ballots.**

24  
25 Official paper ballots shall be uniform in size, printed in black  
26 ink on good quality paper through which printing cannot be read.  
27 Ballots shall be white except as otherwise provided. ~~On a voting~~  
28 ~~machine~~ Each column or row containing the titles of offices and  
29 candidates for office shall be ~~arranged~~ formatted to indicate  
30 clearly the office for which a candidate is running and shall be  
31 suitable for manual counting in accordance with W.S. 22-6-201.

32  
33           **22-6-130. Post-election ballot audit; ballot**  
34 **reconciliation.**

35  
36           (a) Each county clerk shall complete an audit of the county's  
37 unofficial election results by identifying and reviewing ~~the~~  
38 ~~smallest observable percentage not less than ten percent (10%) of~~  
39 ~~the cast ballots in each contest in the county~~ between the  
40 statewide candidates who received the most votes and the statewide  
41 candidates who received the second highest votes. ~~for each contest~~  
42 ~~within the county not later than the first Thursday following a~~  
43 ~~primary, special or general election.~~ Additional contests may be  
44 added to the audit at the discretion of the county clerk. ~~Using a~~  
45 ~~formula developed by the University of Wyoming, each county clerk~~  
46 ~~shall use the smallest observable percentage to determine a~~  
47 ~~statistically significant sample size of the ballots to be audited~~

1 ~~under this section. To ensure the timely completion of this~~  
2 ~~procedure under this subsection, the number of ballots audited~~  
3 ~~shall not exceed five percent (5%) of the total number of ballots~~  
4 ~~cast.~~

5  
6 (b) Each county clerk shall ~~conduct an audit of the election~~  
7 ~~using the statistically significant ballot sample size and the~~  
8 ~~corresponding ballots for the contests selected for audit~~  
9 ~~determined under subsection (a) of this section. Each county clerk~~  
10 ~~shall provide the audit results to the secretary of state not later~~  
11 ~~than one (1) day before the meeting of the state canvassing board~~  
12 ~~as provided in W.S. 22-16-118~~ ensure that the total number of  
13 ballots is reconciled at each stage of the election process.  
14 Reconciliation includes determining:

15  
16 (i) The starting number of ballots procured or printed  
17 in preparation for an election;

18  
19 (ii) The starting number of ballots issued to each  
20 polling location;

21  
22 (iii) The total number of ballots printed on demand,  
23 including any ballot produced by an accessible voting device  
24 permitted under federal law to comply with the Help America Vote  
25 Act of 2002, P.L. 107-252;

26  
27 (iv) The number of ballots distributed by mail or  
28 in-person, categorized by whether the ballot was distributed for  
29 absentee voting, early voting or in-person voting on the day of  
30 the election;

31  
32 (v) The number of ballots cast by any method;

33  
34 (vi) The number of spoiled ballots;

35  
36 (vii) The number of ballots remaining at the close of  
37 polls that were not issued or case; and

38  
39 (viii) The number of provisional ballots.

40  
41 (c) The total number of ballots accounted for under  
42 subsection (b) of this section shall equal the initial total of  
43 blank ballots provided, plus any ballot printed on demand as  
44 provided by paragraph (b)(iii) of this section. Reconciliation  
45 shall be conducted by hand and documented, ensuring no  
46 discrepancies exist before proceeding to the audit under  
47 subsection (a) of this section.

1  
2 (d) If there is discrepancy in counting under subsection (a)  
3 of this section or in reconciliation under subsections (b) and (c)  
4 of this section, the secretary of state shall be immediately  
5 notified and an investigation shall be initiated by the county  
6 canvassing board to identify the cause of the discrepancy. If the  
7 reason for the discrepancy cannot be determined beyond a reasonable  
8 doubt the county canvassing board shall declare any affected part  
9 of the election results to be null and void and the provisions of  
10 W.S. 22-16-122 shall apply to the election.

11  
12 (e) For purposes of this section, the audit under subsection  
13 (a) of this section shall include recording and verifying the votes  
14 cast for each race appearing on a ballot. Reconciliation under  
15 subsections (b) and (c) of this section means reconciling and  
16 confirming the total number of ballots issued compared to the  
17 number of ballots that were not issued, the number of ballots that  
18 were cast, the number of ballots that were spoiled and the number  
19 of provisional ballots.

20  
21 (f) Each county clerk shall provide the audit results under  
22 subsection (a) of this section and the full and completed  
23 reconciliation of ballot totals under subsections (b) and (c) of  
24 this section to the secretary of state not later than three (3)  
25 days before the meeting of the state canvassing board as provided  
26 in W.S. 22-16-118. Audit results and reconciliation reports filed  
27 with the secretary of state under this subsection shall be made  
28 publicly available on the website of the secretary of state."

29  
30 Page 4-line 19 Delete "three (3)" and insert "four (4)";  
31 after "members" insert "with not less than two  
32 (2) members from each of the two (2) major  
33 political parties, appointed in equal numbers  
34 by the central committee of each major  
35 political party".

36  
37 Page 4-line 21 After "clerk" insert "provided that equal  
38 party membership as required by this  
39 subsection is maintained. All members of a  
40 county board shall take an oath of  
41 impartiality before commencing any count".

42  
43 Page 4-after line 21 Insert:

44  
45 **"22-8-113. Training schools; generally and payment for**  
46 **attending.**

1 Not later than four (4) days before the primary and general  
2 election, the county clerk under the direction of the secretary of  
3 state shall conduct a training school for judges of election and  
4 members of counting boards to provide instruction in the  
5 performance of their duties. The training school, which is also  
6 open to the public, shall be held at the times and places announced  
7 by the county clerk, and the secretary of state shall prescribe  
8 the minimum curriculum for the school including manual hand  
9 counting procedures and standards as provided in W.S. 22-6-203 and  
10 22-6-205. Additional schools may be held at the discretion of the  
11 county clerk. ~~Unless training is otherwise provided to the~~  
12 ~~satisfaction of the county clerk,~~ All judges of election and  
13 members of counting boards are obligated to attend at least one  
14 (1) such school. All judges and members of the counting board,  
15 unless the judge or member is volunteering, shall be paid not less  
16 than ten dollars (\$10.00) as determined by the board of county  
17 commissioners for attending a school.

18  
19 **22-14-102. Who may be present after all votes are cast and**  
20 **polls close; making pollbooks agree; counting votes.**

21  
22 After all the votes are cast and the polls are officially declared  
23 closed, only election judges and authorized observers as provided  
24 in W.S. 22-15-109 shall be permitted in a polling place. ~~When all~~  
25 ~~ballots are cast, the machine shall be locked against further~~  
26 ~~voting and sealed as prescribed by law. Except as otherwise~~  
27 ~~provided by W.S. 22-14-114(b), election judges shall commence to~~  
28 ~~count votes and shall continue without adjournment until counting~~  
29 ~~is completed~~ Election judges shall ensure reconciliation of all  
30 ballots as provided in W.S. 22-6-130(b) and (c) and shall then  
31 secure all ballots within locked boxes secured with tamper proof  
32 devices for transfer to the counting center. Hand counting of  
33 ballots shall commence immediately upon arrival at the counting  
34 center as provided in W.S. 22-6-201 through 22-6-205."

35  
36 Page 5-lines 2 through 22 Delete entirely.

37  
38 Page 6-lines 1 through 9 Delete entirely and insert:

39  
40 "(a) ~~For ballots designed to be counted by machine, each~~  
41 ~~individual vote shall be determined by the voting equipment and~~  
42 ~~shall not be determined subjectively by human tabulation except~~  
43 ~~when the intent of the voter is unmistakable but the ballot was~~  
44 ~~received in such damaged, soiled, or other condition that it is~~  
45 ~~rejected by the machine. The secretary of state may promulgate~~  
46 ~~rules establishing standards for counting such ballots. For~~  
47 ~~ballots not designed to be counted by machine,~~ Only votes clearly

1 marked, as provided by W.S. 22-14-104 and rules promulgated  
2 pursuant to this code, shall be tallied. For write-in votes, names  
3 which are misspelled or abbreviated or the use of nicknames of  
4 candidates shall be counted for the candidate if the vote is  
5 obvious to the ~~board~~counting team".

6

7 Page 6-line 16 Delete "may" and insert "shall".

8

9 Page 6-line 17 After "count" delete balance of line.

10

11 Page 6-line 18 Delete "by the county canvassing board" and  
12 insert "in accordance with the statewide  
13 standards and procedures set forth in W.S. 22-  
14 6-201 through 22-6-205".

15

16 Page 8-line 21 Delete "may" and insert "shall".

17

18 Page 8-line 22 After "hand count" delete balance of line.

19

20 Page 8-line 23 Delete "determined by the candidate" and  
21 insert "in accordance with the statewide  
22 standards and procedures set forth in W.S. 22-  
23 6-201 through 22-6-205".

24

25 Page 9-line 6 Delete "may" and insert "shall"; after "hand"  
26 and insert "count"; delete "or by".

27

28 Page 9-line 7 Delete entirely.

29

30 Page 9-line 8 Delete "secretary of state" and insert "in  
31 accordance with the statewide standards and  
32 procedures set forth in W.S. 22-6-201 through  
33 22-6-205".

34

35 Page 9-line 12 Delete "may" and insert "shall"; after "hand"  
36 insert "count".

37

38 Page 9-line 13 Delete entirely.

39

40 Page 9-line 14 Delete "county clerk" and insert "in  
41 accordance with the statewide standards and  
42 procedures set forth in W.S. 22-6-201 through  
43 22-6-205".

44

45 Page 14-line 9 Delete "are limited to".

46

1 Page 14-line 10 Delete "market facility rental fees,  
2 excluding" and insert "shall include costs  
3 directly attributable to compliance with the  
4 statewide hand counting standards established  
5 under W.S. 22-6-201 through 22-6-205,  
6 including".  
7

8 Page 14-line 11 Delete "for facilities owned by the county or  
9 the state"; after "wages" insert "for county  
10 team members".  
11

12 Page 14-line 13 Delete "of twenty-five dollars (\$25.00) per  
13 day".  
14

15 Page 14-line 14 Delete "for election judges and county clerk  
16 staff".  
17

18 Page 15-lines 7 and 8 Delete entirely and insert and renumber  
19 as necessary:  
20

21 **"Section 4.** W.S. 22-1-102(a)(i), (iii), (xiv), (xxxiv)(C),  
22 (xliv), (liv), 22-8-108(b), 22-9-125, and 22-16-111(c) are  
23 repealed."  
24

25 Page 15-after line 8 In the Haroldson committee of the whole  
26 amendment (HB0052HW003/A) to this line,  
27 delete "**Section 3.**" and insert "**Section**  
28 **5.**".  
29

30 Page 15-line 10 In the Haroldson committee of the whole  
31 amendment (HB0052HW003/A) to this line,  
32 delete "**Section 4.**" and insert "**Section**  
33 **6.**".  
34

35 Page 15-line 15 In the Haroldson committee of the whole  
36 amendment (HB0052HW003/A) to this line,  
37 delete "**Section 5.**" and insert "**Section**  
38 **7.**"; in subsection (b) created by that  
39 amendment, delete "Sections 3 and 5" and  
40 insert "Sections 5 through 7". BRADY