

**HB0052HW002**

1 Delete the Yin committee of the whole amendment (HB0052HW001/A)  
2 entirely and further amend as follows:  
3

4 Page 1-line 3 After "votes;" insert "requiring counties to  
5 use pen and paper as the default method to  
6 mark ballots for elections in Wyoming;  
7 providing an exception to the use of pen and  
8 paper ballots;"  
9

10 Page 1-after line 11 Insert and renumber as necessary:  
11

12 **"Section 1.** W.S. 22-13-119 is created to read:  
13

14 **22-13-119. Paper ballots required; exceptions.**  
15

16 (a) Notwithstanding any other provision of law, each county  
17 shall provide paper ballots and pens as the default method to mark  
18 ballots for all in-person voting in all elections in Wyoming. The  
19 county clerk shall provide all voters with a paper ballot and a  
20 pen to mark the ballot secretly as provided in this Election Code.  
21

22 (b) Subsection (a) of this section shall not prohibit any  
23 county clerk from providing electronic ballot marking devices for  
24 use by persons with disabilities. Electronic ballot marking  
25 devices shall comply with all federal accessibility requirements,  
26 including under the Help America Vote Act of 2002, P.L. 107-252,  
27 and shall conform with the requirements of this Election Code for  
28 voting machines and electronic voting systems. Nothing in this  
29 subsection shall authorize any county to use electronic ballot  
30 marking devices as the default method of marking ballots in the  
31 county.  
32

33 (c) As used in this section:  
34

35 (i) "Disability" has the meaning stated in the  
36 Americans with Disabilities Act of 1990, as amended by the  
37 Americans with Disabilities Amendments Act of 2008;  
38

39 (ii) "Electronic ballot marking device" means any  
40 electronic device that assists voters in marking ballots,  
41 including, without limitation, any voting machine that uses a touch  
42 screen to produce a marked paper ballot or ballot card."  
43

44 Page 1-line 13 Delete **"Section 1."** and insert **"Section 2."**

1  
2 Page 1-line 14 After "(e)," insert "22-10-102, 22-11-102,".  
3  
4 Page 2-line 2 After "(b)" delete "and" and insert ",".  
5  
6 Page 2-line 3 After "(c)" insert ", 22-21-109 and 22-22-  
7 203(b)".  
8  
9 Page 4-after line 21 Insert:

10  
11 **"22-10-102. Selection by county commissioners.**

12  
13 Subject to the limitations of W.S. 22-13-119, the board of county  
14 commissioners may adopt for use in any precinct in the county a  
15 type of voting machine meeting the standards specified in W.S.  
16 22-10-101.

17  
18 **22-11-102. Use authorized; purchase or lease.**

19  
20 Subject to the limitations of W.S. 22-13-119, the board of county  
21 commissioners of each county may adopt for use, either  
22 experimentally or permanently, in any election in any or all  
23 polling places within the county, any electronic voting system  
24 authorized by law."

25  
26 Page 15-after line 5 Insert:

27  
28 **"22-21-109. Supplies; regulations; costs.**

29  
30 Subject to the limitations of W.S. 22-13-119, the county clerk may  
31 utilize voting machines or electronic voting systems at any bond  
32 election and may prescribe the form of the ballot, the duties of  
33 election officials, and other reasonable regulations pertaining  
34 thereto. The political subdivision holding the bond election shall  
35 pay the actual costs of the election or an equitably proportioned  
36 share of a concurrent election, as determined by the county clerk.

37  
38 **22-22-203. Determining validity of application; placement on**  
39 **ballot; procedure for multi-county districts.**

40  
41 (b) Subject to the limitations of W.S. 22-13-119, each  
42 county clerk in each election involving a school or community  
43 college district which crosses county boundaries shall determine  
44 whether voting machines, electronic voting system, paper ballots,  
45 or a combination thereof, shall be used to ~~insure~~ensure that each  
46 qualified elector votes only for the candidate or candidates from  
47 the school district and trustee residence area, if any, and from

1 the community college district and subdistrict, if any, for which  
2 he is entitled to vote."

3

4 Page 15-line 7 Delete "**Section 2.**" and insert "**Section 3.**".

5

6 Page 15-line 10 Delete "**Section 3.**" and insert "**Section 4.**".

7

8 Page 15-line 15 Delete "**Section 4.**" and insert "**Section 5.**".

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