

HB0052HW003

1 Delete the Yin committee of the whole amendment (HB0052HW001/A)
2 and the Heiner committee of the whole
3 amendment (HB0052HW0002/A) entirely and
4 further amend as follows:
5

6 Page 1-line 7 After "appointed;" insert "amending dates
7 related to elections; amending provisions
8 related to election recount judges; requiring
9 the completion of a hand count by the county
10 clerk of each county in the 2026 primary and
11 general elections; specifying requirements
12 for the hand count;".
13

14 Page 1-line 9 Delete "an effective date" and insert
15 "effective dates".
16

17 Page 1-line 13 Before "22-8-102" insert "22-2-104(b) and (d),
18 22-8-101(d),".
19

20 Page 1-line 15 After "22-14-114(a)," insert "22-16-
21 103(c) (i),".
22

23 Page 2-line 2 After "(b)" delete "and" and insert ",".
24

25 Page 2-line 3 After "(c)" insert "and 22-16-118".
26

27 Page 2-after line 18 Insert:
28

29 **"22-2-104. Election dates.**
30

31 (b) A primary election shall be held at the regular polling
32 places for each precinct on the first Tuesday after the ~~third~~first
33 Monday in August in general election years for the nomination of
34 candidates for partisan and nonpartisan offices to be filled at
35 the succeeding general election and for the election of major party
36 precinct committeemen and committeewomen.
37

38 (d) Every bond election shall be held on the same day as a
39 primary election or a general election, or on the first Tuesday
40 after the first Monday in May or November, or on the first Tuesday
41 after the ~~third~~first Monday in August.
42

1 **22-8-101. Notice of election officials needed; county**
2 **chairmen to submit list of names; municipal clerks list of names**
3 **appointment.**

4
5 (d) Not later than June 30, the county clerk on each general
6 election year shall appoint judges of election and counting boards
7 and alternates from lists submitted by the county chairmen of the
8 major and minor political parties. This subsection shall not apply
9 to judges appointed to conduct recounts in accordance with W.S.
10 22-16-109 through 22-16-113."

11
12 Page 6-after line 9 Insert:

13
14 **"22-16-103. County canvass procedures.**

15
16 (c) The county canvassing board shall:

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

24
25 Page 14-line 22 After "board" strike balance of line.

26
27 Page 14-line 23 Strike "22-16-109(b)".

28
29 Page 15-line 3 After "22-16-109(d)" insert "or required by
30 W.S. 22-16-109(b)".

31
32 Page 15-after line 5 Insert:

33
34 **"22-16-118. Meeting of state canvassing board.**

35
36 The state canvassing board shall meet no later than the ~~second~~
37 third Wednesday following the election. The secretary of state
38 shall send a messenger to obtain official county abstracts not
39 filed in a reasonable length of time. The canvassing board shall
40 meet at the time and place set by the secretary of state. The board
41 shall review the state abstracts prepared by the secretary of
42 state, compare them with the tabulation and materials prepared by
43 the secretary of state, resolve any tie votes, and certify the
44 abstract as the official state canvass."

45
46 Page 15-after line 8 Insert and renumber as necessary:

1 **"Section 3.**

2
3 (a) In addition to the audits required under W.S. 22-6-130
4 and 22-11-109, each county clerk shall conduct a hand count audit
5 of actual ballots cast on election day following the 2026 primary
6 and 2026 general elections. Each county clerk shall conduct a hand
7 count audit of the ballots for one (1) federal race and one (1)
8 statewide race as selected by the secretary of state. The secretary
9 of state shall notify the county clerk of each county which races
10 shall be audited not later than close of business on the Wednesday
11 following the election. The secretary of state may select different
12 federal and statewide races to be audited for each county, but in
13 no instance shall the secretary of state select more than one (1)
14 federal race and one (1) statewide race per county. In addition to
15 the races selected by the secretary of state, the county clerk
16 shall conduct a hand count audit of each legislative race printed
17 on the ballot. The county canvassing board may audit additional
18 races in addition to those selected by the secretary of state
19 pursuant to the requirements of this section. The results of each
20 hand count audit and the electronic count shall be compared to
21 determine if there were any inconsistencies or errors in the
22 electronic voting system count.

23
24 (b) Notwithstanding any other law, for the 2026 primary and
25 general elections, a judge of election shall not be a member of a
26 counting board at the same election except as provided by W.S. 22-
27 8-108(d) or for purposes of a hand count audit under this section.

28
29 (c) Pursuant to the requirements of subsection (a) of this
30 section, for the 2026 primary and general elections, the county
31 canvassing board shall select a requisite number of electronic
32 tabulating machines whose cumulative number of ballots cast on
33 election day totals as close to five percent (5%) of the total
34 number of ballots cast in the respective county as possible. The
35 county clerk shall audit the ballots tabulated by those electronic
36 tabulating machines selected by the county canvassing board and
37 compare the ballots to the hand count audit result. The hand count
38 audit shall be conducted not later than nine (9) days after the
39 county canvas.

40
41 (d) Each hand count audit conducted under this section shall
42 be conducted as follows:

43
44 (i) The county clerk shall appoint audit boards prior
45 to the conclusion of the county canvass but shall not be required
46 to appoint the boards by the deadline set in W.S. 22-8-101(d). The
47 county clerk may appoint as many audit boards as necessary,

1 provided that each audit board shall be made up of not less than
2 three (3) qualified electors with not greater than two (2) judges
3 per audit board being from the same political party;

4
5 (ii) In addition to any races selected by the county
6 canvassing board, audit boards appointed by the county clerk shall
7 audit those races selected by the secretary of state and each
8 legislative office printed on the ballot. The audit boards
9 appointed by the county clerk shall audit those races on ballots
10 that were tabulated by the equipment selected by the county
11 canvassing board;

12
13 (iii) Audit boards appointed by the county clerk under
14 this section shall tabulate each mark, undervote or overvote as
15 would be counted by electronic tabulating equipment according to
16 the instructions printed on the ballot.

17
18 (e) Any inconsistencies or errors between the original count
19 tabulated by the electronic tabulating machines and the hand count
20 audit required under this section shall be reported to the
21 secretary of state not less than nine (9) days after the date of
22 the county canvass.

23
24 (f) Any ballot inconsistencies or counting errors between
25 the original electronic ballot count and the hand count audit
26 required under this section discovered during the hand count audit
27 process shall be reported to the secretary of state and the joint
28 corporations, elections and political subdivisions interim
29 committee on or before May 1, 2027."

30
31 Page 15-line 10 Delete "**Section 3.**" and insert "**Section 4.**".

32
33 Page 15-line 15 Delete entirely and insert:

34
35 "**Section 5.**

36
37 (a) Except as provided by subsection (b) of this section,
38 this act is effective January 1, 2027.

39
40 (b) Sections 3 and 5 of this act are effective immediately
41 upon completion of all acts necessary for a bill to become law as
42 provided by Article 4, Section 8 of the Wyoming Constitution."

43 HAROLDSON