

SENATE FILE NO. SF0113

2026 election hand count comparison.

Sponsored by: Senator(s) Crago, Barlow, Biteman, Landen,  
Love, Nethercott, Olsen and Salazar and  
Representative(s) Byron, Clouston, Connolly,  
Fornstrom, Harshman, Lawley, Williams and  
Wylie

A BILL

for

1 AN ACT relating to elections; requiring the completion of a  
2 hand count by the county clerk of each county in the 2026  
3 primary and general elections; specifying requirements of  
4 the hand count; requiring reporting; and providing for an  
5 effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 22-8-101(d) and 22-8-102 are amended  
10 to read:

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12 **22-8-101. Notice of election officials needed; county**  
13 **chairmen to submit list of names; municipal clerks list of**  
14 **names appointment.**

1

2 (d) Not later than June 30, the county clerk on each  
3 general election year shall appoint judges of election and  
4 counting boards and alternates from lists submitted by the  
5 county chairmen of the major and minor political parties.  
6 This subsection shall not apply to judges appointed by the  
7 county clerk to serve on audit boards.

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9 **22-8-102. Qualifications.**

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11 Except as otherwise provided by this section, judges of  
12 election and members of counting boards shall be registered  
13 electors and shall be physically, morally and mentally  
14 competent to perform their duties. The county clerk may  
15 appoint persons who are at least sixteen (16) years of age  
16 to serve as judges of election or members of counting  
17 boards if such persons meet all other requirements for  
18 qualification of an elector. A judge of election shall not  
19 be a member of a counting board at the same election except  
20 as provided by W.S. 22-8-108(d) and except as provided in  
21 this section. For the 2026 primary and general elections, a  
22 judge of election shall not be a member of a counting board

1 at the same election except as provided by W.S. 22-8-108(d)  
2 or for the purposes of a hand count audit.

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4 **Section 2.**

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6 (a) In addition to the audits required under W.S.  
7 22-6-130 and 22-11-109, each county clerk shall conduct a  
8 hand count audit of actual ballots cast on election day  
9 following the 2026 primary and 2026 general elections. The  
10 purpose of the hand count audit is to complete a physical  
11 examination of as close to five percent (5%) of the total  
12 number of ballots cast on election day per county as  
13 possible and compare the results of the hand count audit to  
14 the results tabulated by electronic equipment. Each county  
15 clerk shall conduct a hand count audit of the ballots for  
16 one (1) federal race and one (1) statewide race as selected  
17 by the secretary of state. The secretary of state shall  
18 notify the county clerk of each county which races shall be  
19 audited not later than close of business on the Wednesday  
20 following the election. The secretary of state may select  
21 different federal and statewide races to be audited for  
22 each county, but in no instance shall the secretary of  
23 state select more than one (1) federal race and one (1)

1 statewide race per county. In addition to the races  
2 selected by the secretary of state, the county clerk shall  
3 conduct a hand count audit of each legislative race printed  
4 on the ballot. The county canvassing board may audit  
5 additional races in addition to those selected by the  
6 secretary of state pursuant to the requirements of this  
7 section. The results of each hand count audit and the  
8 electronic count shall be compared to determine if there  
9 were any inconsistencies or errors in the electronic voting  
10 system count.

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12 (b) For the 2026 primary election and 2026 general  
13 election, the county canvassing board shall select a  
14 requisite number of electronic tabulating machines whose  
15 cumulative number of ballots cast on election day totals as  
16 close to five percent (5%) of the total number of ballots  
17 cast in their respective county as possible. The county  
18 clerk shall audit the ballots tabulated by those electronic  
19 tabulating machines selected by the county canvassing board  
20 and compare to the hand count audit result. The hand count  
21 audit shall be conducted not later than nine (9) days after  
22 the county canvass.

23

1           (c) Each hand count audit conducted under this  
2 section shall be conducted as follows:

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4           (i) The county clerk shall appoint audit boards  
5 prior to the conclusion of the county canvass but shall not  
6 be required to appoint the boards by the deadline set in  
7 W.S. 22-8-101(d). The county clerk may appoint as many  
8 audit boards as necessary, provided each audit board shall  
9 be made up of not less than three (3) qualified electors  
10 with not greater than two (2) judges per audit board being  
11 from the same political party;

12  
13           (ii) In addition to any races selected by the  
14 county canvassing board, audit boards appointed by the  
15 county clerk shall audit those races selected by the  
16 secretary of state and each legislative office printed on  
17 the ballot. The audit boards appointed by the county clerk  
18 shall audit those races on ballots that were tabulated by  
19 the equipment selected by the county canvassing board;

20  
21           (iii) Audit boards appointed by the county clerk  
22 under this section shall tabulate each mark, undervote or  
23 overvote as would be counted by electronic tabulating

1 equipment according to the instructions printed on the  
2 ballot.

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4 (d) Any inconsistencies or errors between the  
5 original count tabulated by the electronic tabulating  
6 machines and the hand count audit required under this  
7 section shall be reported to the secretary of state not  
8 less than nine (9) days after the date of the county  
9 canvass.

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11 (e) The hand count audit required under this section  
12 shall be reported by the secretary of state to the joint  
13 corporations, elections and political subdivisions interim  
14 committee on or before May 1, 2027.

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16 **Section 3.** This act is effective immediately upon  
17 completion of all acts necessary for a bill to become law  
18 as provided by Article 4, Section 8 of the Wyoming  
19 Constitution.

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(END)