

ORIGINAL SENATE
FILE NO. SF0113

ENROLLED ACT NO. 61, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

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

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

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

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

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

22-8-102. Qualifications.

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

ORIGINAL SENATE
FILE NO. SF0113

ENROLLED ACT NO. 61, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

judge of election shall not be a member of a counting board at the same election except as provided by W.S. 22-8-108(d) or for the purposes of a hand count audit.

Section 2.

(a) In addition to the audits required under W.S. 22-6-130 and 22-11-109, each county clerk shall conduct a hand count audit of actual ballots cast on election day following the 2026 primary and 2026 general elections. The purpose of the hand count audit is to complete a physical examination of as close to five percent (5%) of the total number of ballots cast on election day per county as possible and compare the results of the hand count audit to the results tabulated by electronic equipment. Each county clerk shall conduct a hand count audit of the ballots for one (1) federal race and one (1) statewide race as selected by the secretary of state. The secretary of state shall notify the county clerk of each county which races shall be audited not later than close of business on the Wednesday following the election. The secretary of state may select different federal and statewide races to be audited for each county, but in no instance shall the secretary of state select more than one (1) federal race and one (1) statewide race per county. In addition to the races selected by the secretary of state, the county clerk shall conduct a hand count audit of each legislative race printed on the ballot. The county canvassing board may audit additional races in addition to those selected by the secretary of state pursuant to the requirements of this section. The results of each hand count audit and the electronic count shall be compared to determine if there were any inconsistencies or errors in the electronic voting system count.

ORIGINAL SENATE
FILE NO. SF0113

ENROLLED ACT NO. 61, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

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

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

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

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

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

ORIGINAL SENATE
FILE NO. SF0113

ENROLLED ACT NO. 61, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

equipment according to the instructions printed on the ballot.

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

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

ORIGINAL SENATE
FILE NO. SF0113

ENROLLED ACT NO. 61, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk