

## HOUSE BILL NO. HB0054

Elections-independent candidate requirements.

Sponsored by: Joint Corporations, Elections & Political Subdivisions Interim Committee

## A BILL

for

1 AN ACT relating to elections; requiring independent  
2 candidates to swear that they are unaffiliated or not  
3 registered with a major or minor political party; revising  
4 the number of signatures required for independent  
5 candidates to appear on the general election ballot;  
6 revising the deadline to file a petition as an independent  
7 candidate; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 22-5-301(a), 22-5-304 and 22-5-307  
12 are amended to read:

13

14 **22-5-301. Independent partisan candidates; form.**

15

1                   (a) Independent candidates for partisan public  
2 offices may be nominated by filing a signed petition in  
3 substantially the following form:

4

5                   PETITION FOR NOMINATION

6

7   I, ...., swear or affirm that I was born on ....,  
8 ....(year), that I have been a resident of the State of  
9 Wyoming since ...., and that I am a registered voter of  
10 Election District No. ...., in Precinct No. ...., County of  
11 ...., residing at ...., (if for the office of state senator  
12 or representative, commissioner or other district office)  
13 in Senate (House) (Commissioner or other) District ....,  
14 State of Wyoming, (if for the office of governor), that I  
15 am an unaffiliated voter or am otherwise not registered in  
16 a major or minor political party and that I resided at the  
17 physical residential addresses listed below during the past  
18 five (5) years, and having obtained the number of  
19 signatures required by law for nomination by petition, I  
20 hereby request that my name be printed on the official  
21 ballot at the next general election as an independent  
22 candidate for the office of .... and declare that if  
23 nominated and elected, I will qualify for the office.

1

2 (If for the office of United States senator or  
3 representative in congress) I have not, at any time when  
4 knowingly seeking nomination or election to this office,  
5 claimed or been currently claiming any residence or  
6 received the benefits of residency from any other state,  
7 excluding the benefits of residency related to or  
8 incidental from maintaining a residence at or near the  
9 United States capital.

10

11 (If for the office of governor) I have resided at the  
12 following physical residential addresses during the past  
13 five (5) years:

14

15 (Residence) (Date)

16

17 1. .... ....

18

19 2. .... ....

20

21 Dated the .... day of ...., .... (year).

22

23 ..... (Signature)

1

2 The eligible, registered electors supporting my nomination,  
3 and numbering not less than the number required under W.S.  
4 22-5-304, are as follows:

5

6 (Signature) (Printed Name) (Residence) (Date)

7

8 1. ....

9

10 2. ....

11

12 VERIFICATION BY CIRCULATORS

13

14 I, ...., do hereby certify that I am a circulator of this  
15 petition, and I solely and personally circulated this  
16 petition, that all the signatures appearing herein were  
17 made in my presence from .... (month) .... (day),  
18 .... (year) through .... (month) .... (day), .... (year), and  
19 to the best of my knowledge and belief such signatures are  
20 those of the persons whose names they purport to be.

21

22 ..... (Signature)

23

1           **22-5-304. Qualifications and number of signers**2       **required.**

3

4           (a) For a statewide partisan office, a petition shall  
5    be signed by registered electors, resident in the state and  
6    eligible to vote for the petitioner, numbering not less  
7    than ~~two percent (2%)~~ five percent (5%) of the total number  
8    of votes cast for representative in congress in the last  
9    general election for the entire state.

10

11          (b) For a countywide partisan office, a petition  
12    shall be signed by registered electors, resident in the  
13    county and eligible to vote for the petitioner, numbering  
14    not less than ~~two percent (2%)~~ five percent (5%) of the  
15    total number of votes cast for representative in congress  
16    in the last general election for the entire county.

17

18          (c) For a district partisan election, a petition  
19    shall be signed by registered electors, resident in the  
20    district and eligible to vote for the petitioner, numbering  
21    not less than ~~two percent (2%)~~ five percent (5%) of the  
22    total number of votes cast for the office in that  
23    particular district in the last general election. If a

1 district's boundaries have changed since the last general  
2 election, then the required number of petition signatures  
3 shall not be less than ~~two percent (2%)~~ five percent (5%)  
4 of the number of ~~registered voters in the current district~~  
5 ~~boundaries at the close of day on the day immediately~~  
6 ~~preceding the primary votes cast for the particular office~~  
7 in the last general election.

8

9           **22-5-307. Time for filing independent petitions.**

10

11 ~~Petitions filed~~ An independent candidate for partisan  
12 public office shall obtain approval to circulate the  
13 petition as required by W.S. 22-5-301(b) with the secretary  
14 of state ~~and with~~ or the county clerk ~~shall be filed~~ not  
15 less than ~~seventy (70)~~ eighty-one (81) days before ~~a~~ the  
16 date of the primary election in the applicable general  
17 election year. The candidate shall have not more than  
18 fourteen (14) additional days after obtaining approval of  
19 the candidate's petition to file the petition with the  
20 appropriate filing office.

21

1       **Section 2.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

5

6 (END)