

HOUSE BILL NO. HB0086

Removal of county officers-election code violations.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to county officers; specifying that the
2 secretary of state may submit a complaint to the governor
3 against a county clerk for violations of the election code;
4 and providing for an effective date.

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

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8 **Section 1.** W.S. 18-3-902(a) is amended to read:

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10 **18-3-902. Governor to direct district attorney or**
11 **attorney general to commence action; petition served with**
12 **summons; pleading; trial; judgment; change of judge.**

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14 (a) Whenever it appears to the governor based on ~~the~~
15 a verified complaint ~~of qualified electors or the board of~~
16 ~~county commissioners of the county~~ submitted under this

1 subsection that any county officer is guilty of misconduct
2 or malfeasance in office, ~~he~~ the governor may direct the
3 attorney general to commence and prosecute an action in the
4 district court of the county in which the officer is an
5 official asking for the removal of the officer. The action
6 shall be commenced by the filing of a verified petition in
7 the name of the state of Wyoming signed by the attorney
8 general setting forth the facts constituting the misconduct
9 or malfeasance in office. The following persons may submit
10 a verified complaint to the governor against a county
11 officer under this subsection alleging misconduct or
12 malfeasance in office:

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14 (i) A qualified elector in the county;

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16 (ii) The board of county commissioners of the
17 county;

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19 (iii) The secretary of state if the complaint is
20 against a county clerk and the alleged misconduct or
21 malfeasance in office is for a violation of the Wyoming
22 Election Code of 1973, as amended.

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