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SENATE FILE NO. SF0113

2026 general election hand count comparison.

Sponsored by: Senator(s) Crago, Barlow, Biteman, Landen,
 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:*

8

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

11

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

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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.

8

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

10

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

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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.

3

4 **Section 2.**

5

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)

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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.

11

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.

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

3

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

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

3

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.

10

11 (e) Any ballot inconsistencies or counting errors
12 between the original electronic ballot count and the hand
13 count audit required under this section discovered during
14 the hand count audit process shall be reported by the
15 secretary of state to the joint corporations, elections and
16 political subdivisions interim committee on or before May
17 1, 2027.

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1 **Section 3.** 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)