

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Runoff elections.

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

A BILL

for

1 AN ACT relating to elections; requiring a runoff election
2 after a primary election for specified offices when no
3 candidate receives a majority of the vote; providing the
4 format of the runoff ballot; changing the date for primary
5 elections; amending related dates; making conforming
6 changes; amending election contribution laws; providing
7 that the act is contingent on a constitutional amendment;
8 and providing for effective dates.

9

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

11

1 **Section 1.** W.S. 22-5-601 and 22-6-130 are created to
2 read:

3

4

ARTICLE 6

5

RUNOFF ELECTIONS

6

7

22-5-601. Runoff elections for nominations.

8

9 (a) For nominations for governor, secretary of state,
10 state treasurer, state auditor, state superintendent of
11 public instruction, candidate for the state legislature and
12 any federal office, a runoff election shall be held with
13 respect to that nomination if no candidate receives more
14 than fifty percent (50%) of the votes cast for the
15 respective partisan office on the primary ballot. The
16 candidates in the runoff election shall be the two (2)
17 candidates who received the highest number of votes in
18 their respective partisan primary election except:

19

20 (i) If more than two (2) candidates in a
21 partisan primary election tie for the highest number of
22 votes in the primary election, the state canvassing board

1 shall cast lots to determine which two (2) shall be runoff
2 election candidates; or

3

4 (ii) If two (2) or more candidates in a partisan
5 primary election tie for the second highest number of
6 votes in the primary election, the state canvassing board
7 shall cast lots to determine who shall be the second
8 candidate in the runoff election.

9

10 (b) Notwithstanding W.S. 22-5-401, if any candidate
11 eligible to be in a runoff election withdraws, dies or is
12 determined ineligible, that candidate shall be ineligible
13 for the runoff election and the two (2) eligible candidates
14 receiving the highest number of votes in accordance with
15 subsection (a) of this section shall be the candidates in
16 the runoff election.

17

18 (c) If required under this section, runoff elections
19 shall be held on the first Tuesday after the second Monday
20 in August in general election years.

21

22 (d) The candidate who receives the highest number of
23 votes in the runoff election shall be nominated.

1

2 (e) In the event of a tie, the state canvassing board
3 shall cast lots pursuant to W.S. 22-16-119.

4

5 (f) To the extent this section conflicts with other
6 sections of this Election Code, this section shall apply.

7

8 **22-6-130. Format of runoff election ballot.**

9

10 (a) The runoff election ballot of each major
11 political party shall be printed in substantial compliance
12 with this format:

13

14 (i) Across the top shall be printed "Official
15 Runoff Election Ballot" followed by the name of the major
16 political party;

17

18 (ii) On the first line shall be printed the
19 county in which the ballot is used, the date of the
20 election and blank lines for entry of the election district
21 and precinct;

22

1 (iii) On the second line shall be printed the
2 following instructions: "To vote for a person whose name is
3 printed on the ballot, mark the square immediately adjacent
4 to the name of the person for whom you desire to vote. To
5 vote for a person whose name is not printed on the ballot,
6 write the person's name in the blank space provided for
7 that purpose and mark the square immediately adjacent to
8 the name of the person.";

9

10 (iv) Candidates for the different offices shall
11 be arranged in separate groups. At the top of each group
12 shall appear the title of the office. Adjacent to the title
13 of the office shall be printed "Vote for one" or if more
14 than one (1) are to be voted for, "Vote for not more than",
15 then the appropriate words and figures designating the
16 proper number to be elected;

17

18 (v) Below the list of candidates in each group
19 shall be printed blank lines for write-in candidates equal
20 in number to the number of candidates to be voted for;

21

1 (vi) Adjacent to the name of each candidate and
2 blank line shall be printed a square for marking the vote.
3 No square shall appear at the top of a column.

4
5 **Section 2.** W.S. 22-1-102(a)(lii), 22-2-101(a)(ii),
6 22-2-104(b) and (d), 22-2-108, 22-2-109(a) and by creating
7 a new subsection (d), 22-2-111(a), 22-2-113(e),
8 22-3-102(a)(intro) and by creating a new subsection (f),
9 22-3-109(a), 22-4-402(a) and (e), 22-5-101, 22-5-209,
10 22-5-214, 22-5-215, 22-5-219(a) and by creating new
11 subsections (c) and (d), 22-6-101, 22-6-102(a), 22-6-105,
12 22-7-101, 22-8-101(a), (b) and (d), 22-8-116, 22-16-102(a),
13 22-16-103(c)(i), 22-16-106(a), 22-16-118, 22-16-121(a),
14 22-21-103, 22-21-104, 22-22-202(a), 22-23-303,
15 22-25-101(c)(i)(C), 22-25-102(c)(i)(B) and (ii)(B), (j) and
16 (m), 22-25-104, 22-25-105(a), 22-25-106(a)(i), (b)(i) and
17 (h)(intro) and (ii), 22-25-107(b) and 22-29-110(a) and (b)
18 are amended to read:

19

20 **22-1-102. Definitions.**

21

22 (a) The definitions contained in this chapter apply
23 to words and phrases used in this Election Code and govern

1 the construction of those words and phrases unless they are
2 specifically modified by the context in which they appear.

3 As used in this Election Code:

4

5 (lii) "Unsuccessful candidate" means a person
6 who did not win the election but whose name was printed on
7 the ballot and who received one (1) or more votes in the
8 primary or runoff election;

9

10 **22-2-101. Applicability and construction of Election**
11 **Code generally.**

12

13 (a) Chapters 1 through 28 of this Election Code apply
14 to the following elections:

15

16 (ii) Primary elections and runoff elections
17 under W.S. 22-5-601;

18

19 **22-2-104. Election dates.**

20

21 (b) A primary election shall be held at the regular
22 polling places for each precinct on the first Tuesday after
23 the ~~third~~first Monday in ~~August~~May in general election

1 years for the nomination of candidates for partisan and
2 nonpartisan offices to be filled at the succeeding general
3 election and for the election of major party precinct
4 committeemen and committeewomen. If required under W.S.
5 22-5-601, a runoff election shall be held at the regular
6 polling places for each necessary precinct on the first
7 Tuesday after the second Monday in August in general
8 election years.

9

10 (d) Every bond election shall be held ~~on the same day~~
11 ~~as a primary election or a general election, or~~ on the
12 first Tuesday after the first Monday in May or November.~~7~~
13 ~~or on the first Tuesday after the third Monday in August.~~

14

15 **22-2-108. Secretary of state to certify officers to**
16 **be elected.**

17

18 ~~Between the twenty fourth day of April and the third day of~~
19 ~~May in each general election year, Not less than one~~
20 hundred (100) and not more than one hundred ten (110) days
21 before the primary election the secretary of state shall
22 transmit to the county clerk of each county a certified

1 list stating what officers, other than county and precinct
2 officers, are to be nominated or elected at the election.

3

4 **22-2-109. County clerk to publish proclamation.**

5

6 (a) Between ~~one hundred one (101) and~~ ninety-one (91)
7 and eighty-one (81) days before each primary election the
8 county clerk in each county shall publish at least once in
9 a newspaper of general circulation in the county and post
10 in the county clerk's office and at the place where each
11 municipality within the county regularly holds its council
12 meetings a proclamation setting forth the date of the
13 election, the offices to be filled at the election
14 including the terms of the offices, the number of persons
15 required by law to fill the offices, the filing deadline
16 for the offices and the requirements for filing statements
17 of campaign contributions and expenditures. The
18 proclamation shall also include the aforementioned
19 information regarding offices to be filled at the general
20 election, the date of any potential runoff election and any
21 other pertinent primary election information. In addition,
22 the description of any ballot proposition submitted to the

1 voters of the state, a political subdivision thereof,
2 county or other district shall be included.

3
4 (d) Not later than fifteen (15) days before any
5 runoff election required by W.S. 22-5-601, the county clerk
6 in each applicable county shall publish at least once in a
7 newspaper of general circulation in the county and post in
8 the county clerk's office and at the place where each
9 municipality within the county regularly holds its council
10 meetings a notice of election setting forth the date of the
11 runoff election and a sample ballot pursuant to W.S.
12 22-6-105.

13

14 **22-2-111. Employees time off to vote.**

15

16 (a) Any person entitled to vote at any primary,
17 runoff or general election or special election to fill a
18 vacancy in the office of representatives in the congress of
19 the United States is, on the day of such election, entitled
20 to absent himself from any service or employment in which
21 he is then engaged or employed for a period of one (1)
22 hour, other than meal hours, the hour being at the
23 convenience of the employer, between the time of opening

1 and closing of the polls. Such elector shall not, because
2 of so absenting himself, lose any pay, providing he
3 actually casts his legal vote.

4

5 **22-2-113. Availability and form of registry lists;**
6 **use of copies; election record; purging.**

7

8 (e) The county clerks shall purge and update voter
9 registration information on the voter registration system
10 not later than the fifteenth day of February ~~each~~following
11 a general election year and shall notify the secretary of
12 state upon completion, but not later than February 15 of
13 ~~each~~the year following a general election year.

14

15 **22-3-102. Qualifications; temporary registration.**

16

17 (a) Except as provided in subsection (f) of this
18 section, a person may register to vote not less than
19 fourteen (14) days before an election, at any election
20 specified in W.S. 22-2-101(a)(i) through (viii) or as
21 provided by W.S. 22-3-117, who satisfies the following
22 qualifications:

23

1 (f) To qualify as an eligible voter in a runoff
2 election required by W.S. 22-5-601, the person shall be a
3 registered voter in the jurisdiction where a runoff
4 election is being held and shall be currently registered in
5 the same political party by which they were eligible to
6 vote at the time of the applicable primary election,
7 including voters who registered at the polls at the primary
8 election.

9
10 **22-3-109. Certification and transmittal of poll**
11 **lists; posting of registry lists.**

12
13 (a) Not less than ten (10) days before any election,
14 the county clerk shall certify and transmit to the officer
15 in charge of each election at his request the necessary
16 poll lists for the precincts or areas involved in the
17 election. Not less than ten (10) days prior to the primary
18 and general elections and not less than five (5) days prior
19 to a runoff election required by W.S. 22-5-601, the county
20 clerks shall upon request deliver ~~up to three (3) poll~~
21 ~~lists~~ a poll list for each precinct in the county to the
22 county chairman of each political party in the respective
23 counties.

1

2 **22-4-402. Petition; form; validity.**

3

4 (a) Any group of persons desiring to form a new
5 political party within this state shall file a petition
6 with the secretary of state not later than ~~June~~February 1
7 in any general election year in which the party seeks to
8 qualify for the general election ballot.

9

10 (e) The petition shall be circulated no earlier than
11 ~~April~~January 1 of the year preceding the general election.

12

13 **22-5-101. How candidates nominated.**

14

15 Nominations of candidates for all offices filled at a
16 general election, except school and community college
17 district offices and special district offices, may be made
18 by primary or runoff election as applicable, by petition
19 for nomination as an independent candidate as provided in
20 W.S. 22-5-301 through 22-5-308 or by convention as provided
21 in W.S. 22-4-303 and 22-4-406.

22

1 **22-5-209. Time for filing nomination applications;**
2 **certified list.**

3
4 An application for nomination shall be filed not more than
5 ~~ninety-six (96)~~ ninety (90) days and not later than
6 ~~eighty-one (81)~~ eighty (80) days next preceding the primary
7 election. Not later than ~~sixty-eight (68)~~ seventy-five (75)
8 days before a primary election the secretary of state shall
9 transmit to each county clerk a certified list of persons
10 whose applications have been filed in the office of the
11 secretary of state stating as to each his name, age,
12 address, office sought and party affiliation.

13

14 **22-5-214. Change in party affiliation.**

15

16 An elector may change his party affiliation by completing
17 an application signed before a notarial officer or election
18 official, and filing it with the county clerk not less
19 than fourteen (14) days before the primary election or at
20 the polls on the day of the primary or general election, or
21 when requesting an absentee ballot for the primary or
22 general election.

23

1 **22-5-215. Nomination of partisan candidates and**
2 **write-in candidates.**

3
4 Except as provided in W.S. 22-5-601, on each party ballot
5 the candidate or candidates equal in number to the number
6 to be elected to each office who receive the largest number
7 of votes shall be nominated and shall be entitled to have
8 their names printed on the ballot for the next general
9 election. A write-in candidate shall not be nominated and
10 shall not be entitled to have his name printed on the
11 ballot for the next general election unless he received at
12 least twenty-five (25) write-in votes in the primary
13 election and is a registered voter in the political party
14 for which he was nominated on the day of the primary
15 election. An unsuccessful candidate for office at a primary
16 election whose name is printed on any party ballot may
17 not accept nomination for the same office at the next
18 general election.

19

20 **22-5-219. Further action by nominees or elect not**
21 **required; exception.**

22

1 (a) Candidates nominated at a primary or runoff
2 election and ~~major party precinct committeemen and~~
3 ~~committeewomen elected at a primary election~~ shall be
4 deemed nominated ~~or elected~~ without further action. ~~In~~
5 ~~addition, each write-in candidate nominated at a primary~~
6 ~~election shall comply with the provisions of W.S.~~
7 ~~22-16-106.~~

8
9 (c) Major party precinct committeemen and
10 committeewomen elected at a primary election shall be
11 deemed elected without further action.

12
13 (d) Each write-in candidate nominated at a primary or
14 runoff election shall comply with the provisions of W.S.
15 22-16-106.

16
17 **22-6-101. Certification of candidates nominated;**
18 **printing of names.**

19
20 Not less than sixty (60) days before each general election
21 the secretary of state shall transmit to each county clerk
22 under party headings a certified list of the name and
23 address of each person nominated by primary or runoff

1 election as indicated by the state canvass, the name of
2 each person nominated by provisional or minor party
3 convention, the name of each independent candidate
4 qualifying for nomination by petition, and the office
5 sought. The names of these candidates shall be printed on
6 the official ballot of the general election.

7

8 **22-6-102. County clerk to print ballots; exception.**

9

10 (a) The county clerk shall print official ballots for
11 ~~his~~their county, for all primary, runoff, general and
12 special elections.

13

14 **22-6-105. Sample ballots; publication.**

15

16 The officer providing the official ballots shall publish
17 sample ballots at least once in a newspaper of general
18 circulation in the district in which each primary, runoff
19 and general election is held within two (2) weeks prior to
20 the election. This notice shall also state that the names
21 of candidates will be rotated on the official ballots and
22 will not always appear in the order indicated in the sample
23 ballots.

1

2 **22-7-101. Election districts.**

3

4 The board of county commissioners with the advice or
5 recommendation of the county clerk, no later than ~~its first~~
6 ~~meeting in May~~ the third Tuesday in January in every
7 general election year shall divide the county into not more
8 than thirty (30) election districts. Each district shall
9 be designated by number. Election districts shall be
10 changed only at this designated meeting.

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.**

15

16 (a) Not later than the ~~third first~~ Tuesday of ~~April~~
17 February in each general election year, each county clerk
18 shall notify the county chairmen of the major and minor
19 political parties in the county of the number of election
20 judges and counting board members and alternates needed for
21 the ensuing two (2) year term.

22

1 (b) Not later than the ~~third~~first Tuesday of ~~May~~
2 March in each general election year the county chairman of
3 each major and minor political party in each county may
4 certify to the county clerk a list of registered electors
5 residing in the county and affiliated with the party, and a
6 list of persons who are at least sixteen (16) years of age
7 who otherwise meet all requirements for qualification as an
8 elector, who are willing to serve as a judge of election or
9 as a member of a counting board.

10

11 (d) Not later than ~~June 30~~March 31, the county clerk
12 on each general election year shall appoint judges of
13 election and counting boards and alternates from lists
14 submitted by the county chairmen of the major and minor
15 political parties.

16

17 **22-8-116. Compensation.**

18

19 Judges of election and members of counting boards shall be
20 compensated for services at a rate to be determined by the
21 board of county commissioners ~~at the June~~not later than
22 their March meeting and stated on the notice sent to each
23 nominee. The rate shall be not less than the state minimum

1 wage. Compensation shall begin one (1) hour before a member
2 assumes his duties. The election official who delivers the
3 returns shall receive additional compensation for necessary
4 travel beyond ten (10) miles at the rate authorized for
5 county employees. If a flat rate is paid, said sum shall
6 not be less than the state hourly minimum wage multiplied
7 by the number of hours the polls are open plus one (1)
8 hour.

9

10 **22-16-102. Abstract of vote; returns not filed.**

11

12 (a) The county clerk shall prepare an abstract of the
13 vote of all precincts in the county following a county
14 primary, runoff, special or general election. The abstract
15 shall contain all items required in W.S. 22-16-
16 103(c)(viii).

17

18 **22-16-103. County canvass procedures.**

19

20 (c) The county canvassing board shall:

21

22 (i) Meet as soon as all returns have been
23 received and abstracted, but if any provisional ballots

1 have been cast in the county, not before the time has
2 passed for provisional voters to document their eligibility
3 to register or to vote. The board shall meet at a time and
4 place designated by the county clerk, but no later than the
5 ~~first Friday~~ second Wednesday following the election;

6

7 **22-16-106. Write-in candidates.**

8

9 (a) Each write-in candidate nominated at a primary or
10 runoff election, who has not previously filed an
11 application for nomination shall accept nomination by
12 filing an application for nomination and paying the filing
13 fee in the office in which he would have been required to
14 file an application for nomination to that office.

15

16 **22-16-118. Meeting of state canvassing board.**

17

18 The state canvassing board shall meet no later than the
19 ~~second~~ third Wednesday following the election. The
20 secretary of state shall send a messenger to obtain
21 official county abstracts not filed in a reasonable length
22 of time. The canvassing board shall meet at the time and
23 place set by the secretary of state. The board shall review

1 the state abstracts prepared by the secretary of state,
2 compare them with the tabulation and materials prepared by
3 the secretary of state, resolve any tie votes, and certify
4 the abstract as the official state canvass.

5

6 **22-16-121. Certificates of nomination and election**
7 **following state or county canvass.**

8

9 (a) When the state canvass is concluded, the
10 secretary of state shall issue a certificate of nomination
11 to each candidate nominated at a primary or runoff election
12 and certify the names of nominees as provided in W.S.
13 22-6-101. If a runoff election is required under W.S.
14 22-5-601, not later than two (2) days following the state
15 canvassing board meeting the secretary of state shall
16 provide notice of the runoff election and nominations to
17 the applicable county clerks. When the county canvass is
18 concluded, the county clerk shall issue a certificate of
19 nomination to each candidate nominated at a primary
20 election or by petition.

21

22 **22-21-103. How bond question to be submitted to**
23 **electors; contents.**

1

2 Each bond question shall be submitted to a vote of the
3 qualified electors of the political subdivision. Every bond
4 election shall be held on ~~the same day as a primary~~
5 ~~election or a general election, or on~~ the Tuesday next
6 following the first Monday in May or November, ~~or on the~~
7 ~~Tuesday next following the third Monday in August.~~ Not less
8 than one hundred ten (110) days before a bond election, the
9 political subdivision shall provide written notification to
10 the county clerk specifying the date of the election and
11 the bond question. The bond question shall state the
12 purpose of the bonds, the maximum principal amount thereof,
13 the maximum number of years allowed for the indebtedness
14 and the maximum rate of interest to be paid thereon. The
15 secretary of state may promulgate reasonable rules
16 for conducting bond elections where the election is not
17 held at the same time as the general or primary election.

18

19 **22-21-104. Publication or posting of election notice;**
20 **contents.**

21

22 Between ~~one hundred one (101) and ninety one (91) days~~
23 ~~before a bond election held in conjunction with a primary~~

1 ~~or other August election and between~~ ninety (90) and
2 seventy (70) days before a bond election held in
3 conjunction with a May, general or other November election,
4 the county clerk shall publish notice of the election at
5 least once in a newspaper of general circulation in the
6 political subdivision. If there is no newspaper of general
7 circulation in the political subdivision, notice shall be
8 posted at each polling place in the political subdivision
9 between ninety (90) and seventy (70) days before the
10 election. Any notice of election hereunder shall specify
11 the name of the political subdivision, the date, time and
12 place of election, the question or questions to be
13 submitted, and the fact that only qualified electors of the
14 political subdivision may vote thereon. If a bond
15 election is being held within a political subdivision at
16 the same time and place as a regular or other election, the
17 notice of bond election may, at the discretion of the
18 county clerk, be combined with and given in the same manner
19 as the notice of the regular or other election in such
20 political subdivision.

21

22 **22-22-202. Filing of application; form.**

23

1 (a) A qualified elector may be nominated for the
 2 office of school district trustee or member of a community
 3 college board by filing an application for election in the
 4 office of the county clerk not more than ninety (90) nor
 5 less than ~~seventy (70)~~ eighty (80) days prior to the
 6 election. The application shall be in substantially the
 7 following form:

8

9 APPLICATION FOR ELECTION FOR SCHOOL OR

10

11 COMMUNITY COLLEGE TRUSTEE

12

13 I, the undersigned, swear or affirm that I was born on
 14,(year), and that I have been a resident of the
 15 State of Wyoming since, and that I am a registered
 16 voter of the school district or community college
 17 district (and resident of trustee residence area or
 18 subdistrict, if any), residing at, and I do
 19 hereby request that my name,, be printed on the ballot
 20 of the election to be held on the day of,
 21(year), as a candidate for the office of for a
 22 term of years. I hereby declare that if I am elected,
 23 I will qualify for the office.

1

2 Dated:

3

4 (Signature of Candidate)

5

6 Name as it is to appear on the ballot

7

8 **22-23-303. Certification of candidates; names on**
9 **ballots.**

10

11 Not later than ~~sixty-eight (68)~~seventy-five (75) days
12 prior to the primary election, the municipal clerk shall
13 certify to the county clerk the names of all qualified
14 candidates for nomination at the municipal primary election
15 and the office they seek. The number of municipal
16 candidates the voters are entitled to vote for at the
17 primary election is the number of candidates to be elected
18 to municipal offices at the general election.

19

20 **22-25-101. Definitions; statement of formation.**

21

22 (c) As used in this chapter:

23

1 (i) "Electioneering communication" means, except
2 as otherwise provided by paragraph (ii) of this subsection,
3 any communication, including an advertisement, which is
4 publicly distributed as a billboard, brochure, email,
5 mailing, magazine, pamphlet or periodical, as the component
6 of an internet website or newspaper or by the facilities of
7 a cable television system, electronic communication
8 network, internet streaming service, radio station,
9 telephone or cellular system, television station or
10 satellite system and which:

11

12 (C) Is made within thirty (30) calendar
13 days of a primary or runoff election, sixty (60) calendar
14 days of a general election or twenty-one (21) calendar days
15 of any special election during which the candidate or
16 ballot proposition will appear on the ballot; and

17

18 **22-25-102. Contribution of funds or election**
19 **assistance restricted; limitation on contributions; right**
20 **to communicate; civil penalty.**

21

1 (c) Except as otherwise provided in this section, no
2 individual other than the candidate, or the candidate's
3 immediate family shall contribute directly or indirectly:

4

5 (i) To any candidate for statewide political
6 office, or to any candidate for statewide political
7 office's candidate's campaign committee:

8

9 (B) Except as otherwise provided in this
10 subparagraph, no contribution for the general election may
11 be given prior to the date for the ~~primary-runoff~~ election.
12 This subparagraph shall not apply to any candidate
13 unopposed in the primary election, successfully nominated
14 at the primary election or nominated in accordance with
15 W.S. 22-4-303 or 22-5-301.

16

17 (ii) To any candidate for nonstatewide political
18 office, or to any candidate for nonstatewide political
19 office's candidate's campaign committee:

20

21 (B) Except as otherwise provided in this
22 subparagraph, no contribution for the general election may
23 be given prior to the date for the ~~primary-runoff~~ election.

1 This subparagraph shall not apply to any candidate
2 unopposed in the primary election, successfully nominated
3 at the primary election or nominated in accordance with
4 W.S. 22-4-303 or 22-5-301.

5
6 (j) For purposes of subsection (c) of this section
7 the primary, runoff, general and special elections shall be
8 deemed separate elections. No candidate for political
9 office shall accept, directly or indirectly, contributions
10 which violate subsection (c) of this section.
11 Contributions to a candidate's campaign committee shall be
12 considered to be contributions to the candidate.
13 Subsection (c) of this section does not limit political
14 contributions by political parties, nor expenditures by a
15 candidate from his own funds nor from his candidate's
16 campaign committee funds.

17
18 (m) Except as otherwise provided in this section, no
19 political action committee shall contribute directly or
20 indirectly more than five thousand dollars (\$5,000.00) per
21 election to any candidate for political office other than
22 statewide political office. For purposes of this
23 subsection the primary, runoff, general and special

1 elections shall be deemed separate elections. No candidate
2 for political office shall accept, directly or indirectly,
3 contributions which violate this subsection. Contributions
4 to a candidate's campaign committee shall be considered to
5 be contributions to the candidate. This subsection does
6 not limit political contributions by political parties, nor
7 expenditures by a candidate from his own funds nor from his
8 candidate's campaign committee funds.

9

10 **22-25-104. Restriction on party funds in primary and**
11 **runoff elections.**

12

13 No political party funds shall be expended directly or
14 indirectly in the aid of the nomination of any one (1)
15 person as against another person of the same political
16 party running in ~~the a~~ primary or runoff election.

17

18 **22-25-105. Campaign reporting forms; instructions and**
19 **warning.**

20

21 (a) The secretary of state shall prescribe the forms
22 for reporting contributions and expenditures for primary,
23 runoff, general and special election campaigns, together

1 with written instructions for completing the form and a
2 warning that violators are subject to criminal charges and
3 civil penalties if the forms are not completed and filed
4 pursuant to law. The forms along with instructions and
5 warning shall be distributed to the county clerk and shall
6 be made available, whether in electronic or paper form, by
7 the county clerk to each person filing an application for
8 nomination in his office and to each political action
9 committee and candidate's campaign committee required to
10 file with the county clerk.

11

12 **22-25-106. Filing of campaign reports.**

13

14 (a) Except as otherwise provided in subsections (g)
15 and (j) of this section and in addition to other reports
16 required by this subsection:

17

18 (i) Every candidate, whether successful or not,
19 shall file an itemized statement of contributions and
20 expenditures at least seven (7) days but not more than
21 fourteen (14) days before any primary, general or special
22 election, including a runoff election if applicable. Any
23 contribution received or expenditure made after the

1 statement has been filed, through the day of the election,
2 whether a primary, general or special election and
3 including a runoff election if applicable, shall be filed
4 as an amendment to the statement within ten (10) days after
5 the election;

6

7 (b) Reports of itemized statements of contributions
8 and expenditures, and statements of termination shall be
9 made with the appropriate filing officers specified under
10 W.S. 22-25-107 and in accordance with the following:

11

12 (i) Except as otherwise provided in this
13 section, any political action committee and candidate's
14 campaign committee, or any political action committee
15 formed under the law of another state that contributes to a
16 Wyoming political action committee or to a candidate's
17 campaign committee, which expends any funds in any primary,
18 runoff, general or special election shall file an itemized
19 statement of contributions and expenditures at least seven
20 (7) days but not more than fourteen (14) days before any
21 primary, runoff, general or special election. Any
22 contribution received or expenditure made after the
23 statement has been filed, through the day of the election,

1 whether a primary, runoff, general or special election,
2 shall be filed as an amendment to the statement within ten
3 (10) days after the election;

4
5 (h) An organization that expends in excess of five
6 hundred dollars (\$500.00) in any primary, runoff, general
7 or special election to cause an independent expenditure or
8 electioneering communication to be made shall file an
9 itemized statement of contributions and expenditures with
10 the appropriate filing office under W.S. 22-25-107. The
11 statement shall:

12
13 (ii) Be filed at least seven (7) days but not
14 more than fourteen (14) days before any primary, runoff,
15 general or special election. Any contribution received or
16 expenditure made after the statement has been filed,
17 through the day of the election, whether a primary, runoff,
18 general or special election, shall be filed as an amendment
19 to the statement within ten (10) days after the election;

20
21 **22-25-107. Where reports to be filed.**

22

1 (b) Reports required to be filed at least seven (7)
2 days before any primary, runoff, general or special
3 election shall be filed electronically.

4

5 **22-29-110. County clerk to publish proclamation;**
6 **filing period.**

7

8 (a) Between ~~one hundred one (101) and ninety one (91)~~
9 ~~days before an organizational election held in conjunction~~
10 ~~with a primary or other August election, between~~ ninety
11 (90) and seventy (70) days before an organizational
12 election held in conjunction with a May, general, November
13 or mail ballot election held at any other time, the county
14 clerk shall publish at least once in a newspaper of general
15 circulation in each county in which all or part of the
16 proposed district is situated a proclamation setting forth
17 the date of the election, what county clerk is the filing
18 officer, the question of formation, what offices are to be
19 filled including the terms of the offices, the
20 filing period for the offices and other pertinent election
21 information. Minor errors in the proclamation shall not
22 invalidate the forthcoming election.

23

1 (b) Between ~~ninety-six (96) and eighty-one (81) days~~
2 ~~before a formation election held in conjunction with a~~
3 ~~primary or other August election, between~~ ninety (90) and
4 seventy (70) days before a formation election held in
5 conjunction with a May, general, November or mail ballot
6 election held at any other time, candidates may file an
7 application for election in the office of the county clerk.
8 The principal act shall determine who is eligible to be a
9 candidate. The application shall be in substantially the
10 following form:

11

12 APPLICATION FOR ELECTION

13

14 SPECIAL DISTRICT DIRECTOR

15

16 I, the undersigned, swear or affirm that I was born on
17, (year); that I have been a resident of district
18 since, residing at; that I am an elector
19 or landowner (check which one for eligibility) of said
20 district and I do hereby request that my name,, be
21 printed on the ballot of the formation (or other) election
22 to be held on day of, (year) as a candidate for
23 the office of director for a term of years. I hereby

1 declare that if I am elected, I will qualify for the
2 office.

3

4 Dated

5

6

7 Signature of Candidate

8

9

10 **Section 3.** Sections 1 and 2 of this act shall be
11 effective only upon certification by the secretary of state
12 that the electors have adopted an amendment to the
13 constitution at the 2022 general election revising the date
14 of the reapportionment of the legislature, as provided in
15 2022 House Joint Resolution X.

16

17 **Section 4.**

18

19 (a) Except as provided in subsection (b) of this
20 section, this act is effective immediately upon completion
21 of all acts necessary for a bill to become law as provided
22 by Article 4, Section 8 of the Wyoming Constitution.

23

1 (b) Except as provided in section 3 of this act,
2 sections 1 and 2 of this act are effective July 1, 2023.

3

4

(END)