

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Election equipment-federal certification.

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

A BILL

for

1 AN ACT relating to elections; codifying the secretary of  
2 state's rules for certification of electronic voting  
3 systems; providing a definition of vendor; and providing  
4 for an effective date.

5

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

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8       **Section 1.** W.S. 22-1-102(a) by creating a new  
9 paragraph (liv) and 22-11-103 by amending subsection (a)(x)  
10 and by creating subsections (d) through (g) are amended to  
11 read:

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

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3           (a) The definitions contained in this chapter apply  
4 to words and phrases used in this Election Code and govern  
5 the construction of those words and phrases unless they are  
6 specifically modified by the context in which they appear.  
7 As used in this Election Code:

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9                   (liv) "Vendor" means a person engaged in selling,  
10 leasing, marketing, designing, building or maintaining  
11 electronic voting systems to the state or counties.

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13           **22-11-103. Capabilities required.**

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15           (a) Every electronic voting system adopted for use in  
16 Wyoming shall:

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18                   (x) Be certified by the secretary of state as  
19 provided in subsections (d) through (g) of this section.

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21                   (d) A vendor shall file in the office of the secretary  
22 an application for certification of an electronic voting  
23 system and the secretary of state must approve the

1 application before any electronic voting system to be used  
2 in an election conducted under this code may be sold or  
3 upgraded. The application for certification of an  
4 electronic voting system shall contain the following  
5 documentation:

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7 (i) Proof that the electronic voting system has  
8 been certified by the United States election assistance  
9 commission;

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11 (ii) Proof that the electronic voting system  
12 meets the voluntary voting system guidelines adopted by the  
13 United States election assistance commission;

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15 (iii) Proof that the electronic voting system  
16 complies with the provisions of this chapter;

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18 (iv) A Wyoming certificate of good standing for  
19 the vendor from the office of the secretary dated not more  
20 than ninety (90) days prior to the date the application is  
21 filed; and

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1           (v) Proof of the vendor's escrow account  
2 containing the source code for the electronic voting system  
3 and system components for which certification is being  
4 sought including any source code updates.

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6 \*\*\*\*\*  
7 \*\*\*\*\*  
8           **STAFF COMMENT**  
9           **The Committee may wish to consider establishing a timeline**  
10           **for how many days after the application is filed that the**  
11           **secretary of state must deny or approve the application.**  
12 \*\*\*\*\*  
13 \*\*\*\*\*  
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15           (e) The secretary of state may deny an application  
16 for certification of an electronic voting system as  
17 required by subsection (d) of this section or withdraw  
18 certification of an electronic voting system for any of the  
19 following reasons:

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21           (i) A county clerk notifies the secretary of  
22 state of, or the secretary of state identifies, significant  
23 problems with the electronic voting system;

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25           (ii) The secretary of state determines that the  
26 electronic voting system fails to meet the requirements  
27 necessary for approval of certification; or

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(iii) The vendor fails to notify the secretary of state of necessary enhancements or adjustments to the electronic voting system.

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STAFF COMMENT  
The term "significant problems" used in paragraph (i) may be an ambiguous term. The Committee may wish to consider adding in a more legally established term.  
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(f) Before being used, any new electronic voting system that is purchased by either the state or county shall be certified pursuant to this section.

(g) Every county in Wyoming shall keep an inventory of all electronic voting systems being used in that county. The inventory shall include the following information:

(i) The type of electronic voting system used;

(ii) The quantity of each electronic voting system;

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(iii) The serial number of each electronic voting

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system;

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(iv) The software version, if applicable, of each

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electronic voting system; and

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(v) The firmware version, if applicable, of each

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piece of hardware used in an electronic voting system.

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**Section 2.** This act is effective July 1, 2023.

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(END)

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