

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Ballot harvesting-prohibition.

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

A BILL

for

1 AN ACT relating to elections; prohibiting a person from  
2 delivering ballots of other electors to the county clerk;  
3 providing exceptions; specifying that ballots shall not be  
4 tabulated as specified; providing a penalty; and providing  
5 for an effective date.

6

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

8

9 **Section 1.** W.S. 22-9-113 and 22-26-101(a) by creating  
10 a new paragraph (xii) are amended to read:

11

12 **22-9-113. Completing and return of ballot.**

1

2       (a) Upon receipt, a qualified elector shall mark the  
3 ballot and sign the affidavit. The ballot shall then be  
4 sealed in the inner ballot envelope and mailed or delivered  
5 to the clerk subject to subsections (b) and (c) of this  
6 section.

7

8       (b) No person shall deliver a ballot to the clerk  
9 unless the person is the qualified elector who is casting  
10 the ballot, the person is immediate family of the qualified  
11 elector or the person is an employee of a residential care  
12 facility authorized to deliver a ballot under subsection  
13 (c) of this section. This subsection shall not apply to  
14 ballots that are mailed to the clerk.

15

16       (c) An employee of a residential care facility,  
17 including nursing homes, assisted living facilities, adult  
18 family homes and community-based residential facilities may  
19 deliver an absentee ballot on behalf of a qualified elector  
20 residing in that facility as provided in this subsection.  
21 For each absentee ballot delivered on behalf of a qualified  
22 elector under this subsection, the employee shall  
23 concurrently file an affidavit with the county clerk on a

form prescribed by the secretary of state attesting under  
penalty of perjury that, among other requirements specified  
by the secretary of state, the employee is authorized to  
deliver the ballot on behalf of the qualified elector under  
this subsection. Not later than thirty (30) days following  
each election, the county clerk shall transmit all  
affidavits received under this subsection pertaining to  
that election to the secretary of state.

(d) If a county clerk, county canvassing board member  
or other election official becomes aware of a violation of  
subsection (b) or (c) of this section before ballot  
tabulation, any ballot that is delivered in violation of  
subsection (b) or (c) of this section shall not be  
tabulated. If a ballot is improperly delivered to the  
county clerk in violation of this section, the county clerk  
may provide notice to the qualified elector that the  
qualified elector's ballot has not been tabulated.

\*\*\*\*\*  
\*\*\*\*\*  
STAFF COMMENT  
The engrossed version of the bill from the 2025 session  
stated:

1 If a county clerk, county canvassing board member or other  
2 election official becomes aware of a violation of  
3 subsections (b) **and** (c) of this section before ballot  
4 tabulation, any ballot that is delivered in violation of  
5 subsections (b) **and** (c) of this section shall not be  
6 tabulated.

7  
8 It appears advisable to make it a violation of (b) or (c)  
9 so that it does not require a violation of both  
10 subsections. Alternatively, the reference to subsection (c)  
11 could be removed as any ballot delivered in violation of  
12 subsection (c) would also be a violation of subsection (b).

13 \*\*\*\*\*  
14 \*\*\*\*\*  
15 \*\*\*\*\*  
16 \*\*\*\*\*

17 **22-26-101. Felony offenses generally.**

18  
19 (a) The following acts in connection with or related  
20 to the election process or an election, if knowingly and  
21 willfully committed, are felony offenses punishable by not  
22 more than five (5) years' imprisonment in the state  
23 penitentiary or a fine of not more than ten thousand  
24 dollars (\$10,000.00), or both:

25  
26 (xii) Violating W.S. 22-9-113(b).

27  
28 **Section 2.** This act is effective July 1, 2026.

29  
30 (END)