

ENROLLED ACT NO. 72, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to elections; modifying the definition of acceptable identification; requiring that acceptable identification be presented before voting in person; providing that provisional ballots may be cast as specified; providing that in person voters may be challenged for failure to present acceptable identification; modifying requirements of the department of transportation related to identification cards as specified; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 22-1-102(a)(xxxix), 22-2-119, 22-3-118(a)(i) and (ii), 22-15-104(a) by creating a new paragraph (vi), 31-8-103(d) and 31-8-104 are amended to read:

22-1-102. Definitions.

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

(xxxix) "Acceptable identification" means:

(A) For purposes of voter registration, one (1) of the identification documents or other proof of identity as specified by rule of the secretary of state as adequate proof of the identity of a voter;

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(B) For purposes of in person voter identification immediately before voting at a polling place or absentee polling place, any of the following:

(I) A Wyoming driver's license as defined by W.S. 31-7-102(a)(xxv);

(II) A tribal identification card issued by the governing body of the Eastern Shoshone tribe of Wyoming, the Northern Arapaho tribe of Wyoming or other federally recognized Indian tribe;

(III) A Wyoming identification card issued under W.S. 31-8-101;

(IV) A valid United States passport;

(V) A United States military card;

(VI) A driver's license or identification card issued by any state or outlying possession of the United States;

(VII) Photo identification issued by the University of Wyoming, a Wyoming community college or a Wyoming public school;

(VIII) A valid Medicare insurance card. This subdivision is repealed effective December 31, 2029;

(IX) A valid Medicaid insurance card. This subdivision is repealed effective December 31, 2029.

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22-2-119. Qualified elector may vote; acceptable identification requirement; provisional ballots.

Except as specifically provided otherwise, a person may vote only if ~~he~~ the person is a qualified elector, ~~and~~ only in the precinct in which ~~he~~ the person resides and, if voting in person, only if the person presents acceptable identification immediately before voting at the polling place or absentee polling place. If a person is unable to present acceptable identification immediately before voting at the polling place or absentee polling place, the person may vote by provisional ballot pursuant to W.S. 22-15-105.

22-3-118. Proof of identity.

(a) Unless a voter is challenged pursuant to W.S. 22-15-101 through 22-15-109, no identification shall be required when:

(i) Voting ~~in person or~~ by ~~mail~~ absentee ballot after having registered in person; or

(ii) Voting ~~in person or~~ by ~~mail~~ absentee ballot after having registered by mail and having submitted a copy of the person's acceptable identification, as set forth in W.S. 22-1-102(a)(xxxix)(A), at the time of registration.

22-15-104. Grounds for challenge.

(a) A person offering to vote may be challenged for the following reasons:

(vi) For in person voting, failure to present acceptable identification immediately before voting at the polling place or absentee polling place.

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31-8-103. Expiration; records; new cards.

(d) The division shall send a notification for an identification card to the last known address of every eligible registrant, or notify by electronic means if the eligible registrant has consented to receive notices electronically, within one hundred twenty (120) days prior to expiration of the registrant's identification card. The notification shall conspicuously advise registrants of the requirement that in person voters present acceptable identification immediately before voting at the polling place or absentee polling place and that an identification card is a form of acceptable identification. Every identification card is renewable upon application and payment of the required fee. As used in this section, "last known address" means the address, email address or other electronic contact information, as applicable according to the sending method, on file with the division.

31-8-104. Fees.

Every applicant for an identification card shall pay ten dollars (\$10.00) to the department plus an additional ten dollars (\$10.00) for a digital identification card if applicable. This fee shall be waived if the applicant requests an identification card that shall be used only for voter identification purposes. The state treasurer shall credit identification card fees to the highway fund. Identification cards, including digital identification cards, issued as a result of the cancellation of a license under W.S. 31-7-122(a)(i) shall be issued without payment of any fee.

ORIGINAL HOUSE
BILL NO. HB0075

ENGROSSED

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Section 2. This act is effective July 1, 2021.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk