

HOUSE BILL NO. HB0163

Elections-recount deposits.

Sponsored by: Representative(s) Northrup, Brown and Paxton
and Senator(s) Coe and Rothfuss

A BILL

for

1 AN ACT relating to elections; modifying deposit fees and
2 liability for costs related to candidate initiated
3 recounts; and providing for an effective date.

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

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7 **Section 1.** W.S. 22-16-113 is amended to read:

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9 **22-16-113. Recount deposit; expense of recount.**

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11 (a) An affidavit requesting a recount must be
12 accompanied by a the following deposit: ~~of one hundred~~
13 ~~dollars (\$100.00).~~

14

1 (i) If the difference in number of votes cast as
2 calculated pursuant to W.S. 22-16-109(b) is one percent
3 (1%) or greater but less than five percent (5%), five
4 hundred dollars (\$500.00);

5
6 (ii) If the difference in number of votes cast
7 as calculated pursuant to W.S. 22-16-109(b) is five percent
8 (5%) or greater, three thousand dollars (\$3,000.00).

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10 (b) If the recount shows sufficient error to change
11 the result of the election, the county in which the recount
12 is taken shall pay expenses of the recount and the deposit
13 shall be returned. Otherwise the applicant or applicants
14 seeking the recount shall be liable for the actual cost of
15 conducting the recount up to a maximum of ~~five hundred~~
16 ~~dollars (\$500.00)~~ the amount deposited under subsection (a)
17 of this section, per county recounted. Every county clerk
18 shall issue a complete accounting of all costs of the
19 recount to the candidate requesting the recount, and shall
20 refund any surplus to the candidate.

21
22 (c) If the recount is initiated by the county
23 canvassing board or required by W.S. 22-16-109(b), the cost

1 of the recount shall be paid by the county in which the
2 recount is taken regardless of the result of the recount.

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4 **Section 2.** This act is effective July 1, 2017.

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(END)