

ORIGINAL HOUSE
BILL NO. HB0163

ENROLLED ACT NO. 44, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

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

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

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

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

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

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

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

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

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(c) If the recount is initiated by the county canvassing board or required by W.S. 22-16-109(b), the cost of the recount shall be paid by the county in which the recount is taken regardless of the result of the recount.

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

(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