

SENATE FILE NO. SF0099

Voting systems and ballots.

Sponsored by: Senator(s) Steinmetz and Biteman and
Representative(s) Clem, Edwards and Furphy

A BILL

for

1 AN ACT relating to elections; authorizing counting of ballots
2 at a central counting location; authorizing alternative
3 methods of voting as specified; requiring rulemaking; and
4 providing for effective dates.

5

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

7

8 **Section 1.** W.S. 22-2-121 by creating a new subsection
9 (g), 22-14-102, 22-14-105(f), 22-14-110, 22-14-111(a)(intro)
10 and 22-14-114 are amended to read:

11

12 **22-2-121. Chief election officer to prepare forms;**
13 **rules; advice.**

14

1 (g) The secretary of state shall adopt rules and
2 regulations that:

3
4 (i) Allow for the counting of ballots at a central
5 counting center. The rules shall specify procedures for
6 delivering ballots to the central counting center;

7
8 (ii) At the discretion of a county clerk,
9 authorize alternative methods of handicap accessible voting
10 at a polling place other than by electronic machine;

11
12 (iii) Are consistent with the requirements of the
13 Help America Vote Act of 2002, P.L. 107-252, the Americans
14 with Disabilities Act and other federal or state law.

15
16 **22-14-102. Who may be present after polls close; making**
17 **pollbooks agree; counting votes.**

18
19 After all the votes are cast and the polls are officially
20 declared closed, only election judges shall be permitted in
21 a polling place. When all ballots are cast, the machine shall
22 be locked against further voting and sealed as prescribed by
23 law. Except as otherwise provided by W.S. 22-14-114(b),

1 election judges shall commence to count votes and shall
2 continue without adjournment until counting is completed.

3

4 **22-14-105. Vote tallying in voting machine polling**
5 **places.**

6

7 (f) This section does not vitiate the provisions of
8 W.S. 22-9-125 permitting an alternate procedure for counting
9 absentee ballots or the provisions of W.S. 22-14-114(b)
10 permitting the counting of ballots at a central counting
11 center.

12

13 **22-14-110. Sealing paper ballots and voting machine**
14 **records.**

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16 Paper ballots shall be sealed by the election judges in an
17 envelope after being counted and tallied, unless the ballots
18 are being counted at a central counting center as authorized
19 by W.S. 22-14-114(b). One (1) copy of each voting machine
20 record shall be sealed in a separate envelope showing the
21 district, precinct and machine number and endorsed by the
22 election judges. These envelopes shall then be sealed in a

1 single large container. The district and precinct number
2 shall be written on each container.

3

4 **22-14-111. Returning records and returns to clerk.**

5

6 (a) Unless the votes are being counted at a central
7 counting center as authorized by W.S. 22-14-114(b), election
8 judges shall, as soon as possible after the tabulation of
9 votes is complete, ~~election judges shall~~ return by messenger
10 to the clerk who prepared the ballots for the election the
11 following records and returns in a sealed packet:

12

13 **22-14-114. Counting of ballots.**

14

15 (a) For ballots designed to be counted by machine, each
16 individual vote shall be determined by the voting equipment
17 and shall not be determined subjectively by human tabulation
18 except when the intent of the voter is unmistakable but the
19 ballot was received in such damaged, soiled, or other
20 condition that it is rejected by the machine. The secretary
21 of state may promulgate rules establishing standards for
22 counting such ballots. For ballots not designed to be counted
23 by machine, only votes clearly marked, as provided by W.S.

1 22-14-104 and rules promulgated pursuant to this code, shall
2 be tallied. For write-in votes, names which are misspelled or
3 abbreviated or the use of nicknames of candidates shall be
4 counted for the candidate if the vote is obvious to the board.

5

6 (b) At the request of a county clerk, ballots may be
7 received from a polling place and counted at a central
8 counting center in accordance with rules promulgated by the
9 secretary of state pursuant to W.S. 22-2-121(g).

10

11 **Section 2.** The secretary of state shall promulgate
12 rules required by this act not later than July 1, 2019.

13

14 **Section 3.**

15

16 (a) Except as provided in subsection (b) of this
17 section, this act is effective July 1, 2019.

18

19 (b) Section 2 of this act is effective immediately upon
20 completion of all acts necessary for a bill to become law as
21 provided by Article 4, Section 8 of the Wyoming Constitution.

22

23

(END)