

HOUSE JOINT RESOLUTION NO. HJ0002

Constitutional initiative.

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

A BILL

for

1 A JOINT RESOLUTION proposing to amend the Wyoming
2 Constitution; creating an initiative process to amend the
3 Wyoming Constitution; and specifying procedures.

4

5 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*
6 *two-thirds of all the members of the two houses, voting*
7 *separately, concurring therein:*

8

9 **Section 1.** The following proposal to amend Wyoming
10 Constitution, Article 3, Section 52(a) and Article 20 by
11 creating a new Section 5 is proposed for submission to the
12 electors of the State of Wyoming at the next general
13 election for approval or rejection to become valid as a
14 part of the Constitution if ratified by a majority of the
15 electors at the election:

16

1 **Article 3, Section 52. Initiative and referendum.**

2

3 (a) The people may propose and enact laws and
4 constitutional amendments by the initiative, and approve or
5 reject acts of the legislature by the referendum. The
6 provisions of this section shall govern initiated laws and
7 the referendum process. The provisions of article 20,
8 section 5 shall govern the initiative process for
9 constitutional amendments.

10

11 **Article 20, Section 5. Amendment by initiative.**

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13 (a) The people may propose amendments to this
14 constitution by the initiative as set forth in this
15 section.

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17 (b) A constitutional initiative is proposed by an
18 application containing the proposed amendment. The
19 application shall be signed by not less than one hundred
20 (100) qualified voters as sponsors, and shall be filed with
21 the secretary of state. If he finds it in proper form he
22 shall so certify. Denial of certification shall be subject
23 to judicial review.

24

1 (c) After certification of the application, a
2 petition containing a summary of the subject matter shall
3 be prepared by the secretary of state for circulation by
4 the sponsors. If signed by qualified voters, sufficient to
5 meet the requirements of article 3, section 52(c) of this
6 constitution, it may be filed with the secretary of state.

7
8 (d) A constitutional initiative petition may be filed
9 at any time except that one may not be filed for a measure
10 substantially the same as that defeated in an election held
11 under section 1 of this article or under this section
12 within the preceding five (5) years. The secretary of state
13 shall prepare a ballot title and proposition summarizing
14 the proposed amendment, and shall place them on the ballot
15 for the next general election held more than one hundred
16 twenty (120) days after the filing. The proposed amendment
17 shall be published by the secretary of state for at least
18 twelve (12) consecutive weeks, prior to the election, in at
19 least one (1) newspaper of general circulation, published
20 in each county. If, before the election, substantially the
21 same amendment has been proposed by the legislature for
22 submission to the voters under section 1 of this article,
23 the petition is void and the procedure for the proposed
24 amendment shall be as provided in section 1 of this

1 article.

2

3 (e) If votes in an amount in excess of two-thirds
4 (2/3) of those voting in the election are cast in favor of
5 adoption of an initiated amendment, as certified by the
6 secretary of state, the amendment, as approved by the
7 voters, shall be submitted for ratification by each house
8 at the next general session of the legislature as provided
9 in this subsection. The proposed amendment shall be
10 submitted first to the senate by the president of the
11 senate for roll call vote. If a majority of all the members
12 of the senate vote in favor of the amendment the speaker of
13 the house shall submit the proposed amendment to the house
14 for roll call vote. If the amendment, as approved by the
15 voters, is ratified by majority vote of each house it shall
16 become part of this constitution on July 1, next following
17 the legislative ratification. If the proposed amendment is
18 not so ratified at that legislative session it shall not
19 become part of the constitution. The ratification of the
20 proposed amendment is not subject to provisions of this
21 constitution governing the passage of a bill.
22 Notwithstanding article 3, section 41 or article 4,
23 sections 8 and 9 of this constitution, the ratification is
24 not required to be presented to the governor for his

1 approval and the governor shall have no power to veto a
2 ratified amendment.

3

4 (f) Additional procedures for the constitutional
5 initiative may be prescribed by law.

6

7 **Section 2.** That the Secretary of State shall endorse
8 the following statement on the proposed amendment:

9

10 The adoption of this amendment allows amendments to
11 the Wyoming Constitution to be proposed by the initiative
12 process and ratified by the Wyoming Legislature.

13

14 (END)