

SENATE FILE NO. SF0047

Election code amendments.

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

A BILL

for

1 AN ACT relating to elections; modifying procedures and other  
2 provisions relating to voting and registration; modifying  
3 provisions relating to public access to certain election,  
4 registration and voting records; implementing provisions  
5 relating to the federal Help America Vote Act; providing for  
6 access to certain records relating to voter identification;  
7 making conforming amendments; repealing obsolete provisions;  
8 providing an appropriation; and providing for an effective  
9 date.

10

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

12

13 **Section 1.** W.S. 22-3-118 is created to read:

14

15 **22-3-118. Proof of identity.**

16

1           (a) Unless a voter is challenged pursuant to W.S.  
2 22-15-101 through 22-15-109, no identification shall be  
3 required when:

4  
5           (i) Voting in person or by mail after having  
6 registered in person; or

7  
8           (ii) Voting in person or by mail after having  
9 registered by mail and having previously voted in a Wyoming  
10 federal election.

11  
12          (b) Prior to voting, when a voter has registered by  
13 mail and is voting in person in his first Wyoming federal  
14 election, he shall provide:

15  
16           (i) A current, valid photo identification; or

17  
18           (ii) A copy of a current utility bill, bank  
19 statement, paycheck, government check or other government  
20 document which shows his name and address.

21  
22          (c) When a voter has registered by mail and he is  
23 voting by mail in his first Wyoming federal election, he  
24 shall submit with his absentee ballot:

1

2 (i) A copy of a current, valid photo  
3 identification; or

4

5 (ii) A copy of a current utility bill, bank  
6 statement, government check, paycheck, or other government  
7 document which shows his name and address.

8

9 (d) Voters who are unable to provide the required  
10 proof under the applicable provisions of subsections (b) and  
11 (c) of this section shall be offered provisional ballots in  
12 accordance with W.S. 22-15-105 and permitted until the close  
13 of business on the day following the election to present  
14 documentation to the county clerk establishing their  
15 eligibility to vote in the precinct.

16

17 (e) The provisions of this section shall not apply to  
18 elections conducted pursuant to chapter 29 of this Election  
19 Code.

20

21 (f) As used in this section "Wyoming federal election"  
22 means a primary election, general election or a special  
23 election for federal office held in this state.

24

1           **Section 2.**       W.S. 7-19-106(a) by creating a new  
2 paragraph (xi), 22-1-102(a)(ii), (xiv), (xli) and by  
3 creating a new paragraph (xlv), 22-2-113(d), 22-2-121(c) and  
4 (d), 22-3-102 by creating new subsections (d) and (e),  
5 22-3-103(a) and (b), 22-3-104 by creating new subsections  
6 (d) through (h) and by amending and renumbering (d) as (j),  
7 22-3-108(a) by creating new paragraphs (vi) and (vii),  
8 (b)(ii), (v), (vi), by creating new paragraphs (viii) and  
9 (ix) and (c), 22-3-117(b)(intro), (i) through (iii), (c) and  
10 (d), 22-5-205(a), 22-6-103, 22-6-126(a), 22-9-109,  
11 22-11-103(a)(iii), 22-14-114, 22-15-105(b) and (d),  
12 22-16-103(c)(i), (iii) and (iv), 22-24-112(b)(intro),  
13 22-25-106(b)(i), 22-25-107(b), 31-7-120 by creating new  
14 subsections (c) and (d) and 35-1-426 by creating a new  
15 subsection (d) are amended to read:

16

17           **7-19-106. Access to, and dissemination of,**  
18 **information.**

19

20           (a) Criminal history record information shall be  
21 disseminated by criminal justice agencies in this state,  
22 whether directly or through any intermediary, only to:

23

1           (xi) The secretary of state, through the  
2 electronic voter registration system, for confirmation of  
3 the existence or nonexistence of felony conviction records  
4 of registered voters and of individuals seeking to register  
5 to vote. If the criminal history record information  
6 indicates that the subject's voting rights have been  
7 restored, that information shall also be provided.  
8 Notwithstanding subsection (c) of this section and W.S.  
9 7-19-108, the subject's fingerprints shall not be required  
10 and no fee shall be charged. The necessary identifying  
11 information shall be provided to the division and the  
12 disclosures made in accordance with the terms agreed upon by  
13 the secretary of state and the attorney general.

14  
15           **22-1-102. Definitions.**

16  
17           (a) The definitions contained in this chapter apply to  
18 words and phrases used in this Election Code and govern the  
19 construction of those words and phrases unless they are  
20 specifically modified by the context in which they appear.  
21 As used in this Election Code:

22

1           (ii) "Ballot" means the cardboard, paper, or  
2 other material upon which a voter ~~records~~ marks his votes;  
3 ~~and includes ballot cards, paper ballots, and ballot labels;~~

4  
5           (xiv) "Electronic voting system" is a system  
6 employing ~~a~~ an electronic voting device in conjunction with  
7 ballot labels, paper ballots or ballot cards, or other  
8 system of secret voting and automatic tabulating equipment  
9 for the recording, tabulating and counting of votes in an  
10 election;

11  
12           (xli) "Provisional ballot" means a ballot  
13 provided to a voter whose right to register or to vote  
14 cannot be determined at the polls or verified at the  
15 election office, in order to allow the voter to ~~vote~~ cast a  
16 ballot at the polls which shall be counted only if the  
17 ballot is determined to be a valid ballot as provided in  
18 this Election Code;

19  
20           (xlv) "Print" means to write in letters and  
21 reproduce whether on paper or other medium by mechanical,  
22 magnetic or electrical process.

23

1           **22-2-113. Availability and form of computerized voter**  
2 **registration lists; use of copies; election record; purging.**

3  
4           (d) Unless otherwise specifically stated in this  
5 Election Code, all election records of the county clerk are  
6 public. The availability and dissemination of such records  
7 shall be in accordance with the Wyoming Public Records Act.  
8 Election records containing social security numbers,  
9 portions of social security numbers, driver's license  
10 numbers, state generated unique voter identification  
11 numbers, birth dates, telephone numbers and other personally  
12 identifiable information other than names, gender, addresses  
13 and party affiliations are not public records ~~if all other~~  
14 ~~information contained in the record is otherwise available~~  
15 ~~for public inspection~~ and shall be kept confidential. When  
16 necessary, members of the county or state canvassing boards  
17 may access confidential information for purposes of this  
18 code but shall maintain its confidentiality.

19  
20           **22-2-121. Chief election officer to prepare forms;**  
21 **rules; advice.**

22  
23           (c) The secretary of state shall have the authority to  
24 issue a directive to the county election officers necessary

1 to ensure voter registration and elector participation when  
2 a ~~military~~ uniformed services or emergency personnel elector  
3 could not otherwise vote.

4

5 (d) The secretary of state is authorized to adopt  
6 rules and regulations necessary to comply with the  
7 requirements of the Help America Vote Act of 2002, Public  
8 Law 107-252, including a state-based administrative  
9 complaint procedure, which shall not be subject to the  
10 Wyoming Administrative Procedure Act.

11

12 **22-3-102. Qualifications; temporary registration.**

13

14 (d) An absent uniformed services or an overseas  
15 citizen voter who is qualified to register by mail, to  
16 request an absentee ballot, and to vote in Wyoming is  
17 entitled to register by mail using the Federal Postcard  
18 Application for the purpose of voting in one (1) election or  
19 as many as the next two (2) federal election cycles,  
20 including the primary and general and special federal  
21 elections, but thereafter the voter's name shall be removed  
22 from the temporary registration list which shall be  
23 maintained as a segregated part of the voter registration  
24 list. The voter's name shall not appear on the permanent



1 official registry list until the voter has registered as  
2 provided in W.S. 22-3-103 and 22-3-104.

3

4 (e) The secretary of state is authorized to provide  
5 for the verification of certain voter registration data in  
6 accordance with the following:

7

8 (i) The secretary of state and the director of  
9 the department of transportation shall enter into an  
10 agreement to match voter registration data with  
11 information maintained by the department regarding  
12 driver's licenses, in order to verify the information  
13 provided on applications for voter registration;

14

15 (ii) The secretary of state and the attorney  
16 general shall enter into an agreement to compare data in  
17 the voter registration system with information maintained  
18 by the division of criminal investigation regarding state  
19 felony convictions in order to deny voter registration to,  
20 and remove from voter registration lists, individuals who  
21 are not qualified electors;

22

23 (iii) The secretary of state and the director  
24 of the department of health shall enter into an agreement

1 to match information in the voter registration system with  
 2 death records in the office of vital records services  
 3 within the department of health in order to remove names  
 4 of deceased individuals from voter registration lists;

5

6 (iv) The secretary of state and the state board  
 7 of parole shall enter into an agreement to match information  
 8 in the voter registration system with records regarding  
 9 restoration of voting rights maintained by the state board  
 10 of parole in order to verify voter qualifications.

11

12 **22-3-103. Furnishing of oath forms; contents thereof.**

13

14 (a) The county clerk shall furnish voter registration  
 15 oath forms to registry agents which shall conform in  
 16 substance to the following:

17

18 REGISTRATION OATH

19

20 State of Wyoming )

21 ) ss

22 County of .... )

23

1 I, ....., do solemnly swear (or affirm) that I am a  
2 citizen of the United States; that I was born on ....; that  
3 I have been a bona fide resident of the state of Wyoming,  
4 County of .... since ....; that my current residence address  
5 is .... Street, City of .... Ward .... (if applicable),  
6 Election District No. .... Polling Precinct No. ...., House  
7 District No.... and Senate District No....; that my mailing  
8 address (if different from my residence address) is ....;  
9 that I am a member of .... political party and ~~my social~~  
10 ~~security~~the number ~~(optional)~~of my current, valid Wyoming  
11 driver's license is ....., or I have no valid Wyoming  
12 driver's license and the last four digits of my social  
13 security number are ....., or I have no valid Wyoming  
14 driver's license or social security number; that I am not  
15 .... now registered in another county or state; that I am  
16 not currently adjudicated a mentally incompetent person,  
17 that I have not been convicted of a felony, or if I have  
18 been convicted of a felony, I have had my civil or voting  
19 rights restored by a competent authority; and that the voter  
20 registration information contained herein is true and  
21 accurate to my best knowledge and belief.

22

23 ..... (Signature in full of applicant)

24

1           Subscribed and affirmed or sworn to before me by ....  
2 this .... day of ....., (year).

3

4           .... (Signature and title of registry agent  
5 or person authorized to administer oaths)

6

7           (b) Persons in the ~~military~~uniformed services and  
8 overseas citizens, as specified in W.S. 22-3-117, may swear  
9 or affirm to the oath under the penalty of perjury. The  
10 oath does not require the signature of an oath-taking  
11 officer.

12

13           **22-3-104. Proof of identity for registration;**  
14 **verification; signing oath; time for proving eligibility;**  
15 **registration locations.**

16

17           (d) When an applicant registers to vote in person or  
18 by mail he shall:

19

20           (i) Provide acceptable identification as defined  
21 pursuant to W.S. 22-1-102(a)(xxxix);

22

23           (ii) Sign his full legal name to the registration  
24 oath before a registry agent;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

(iii) Also provide the following as specified:

(A) The number from his current, valid, Wyoming driver's license; or

(B) If he has no current, valid Wyoming driver's license, he shall so state and shall provide the last four (4) digits of his social security number; or

(C) If he has no current, valid Wyoming driver's license nor a social security number, he shall so state and the state shall assign him a unique identifying number which shall be included on the appropriate form developed pursuant to the Help America Vote Act.

(e) If an applicant is registering by mail, any person authorized to administer oaths shall be considered a registry agent for the purposes of this section.

(f) A person shall be registered to vote upon receipt by the county clerk of the completed and signed registration oath subscribed by the registry agent.

1       (g) On election day, applicants attempting to register  
2 who lack the proof required under this section shall be  
3 offered provisional ballots in accordance with W.S.  
4 22-15-105 and permitted until the close of business on the  
5 day following the election to present documentation to the  
6 county clerk establishing their eligibility to register and  
7 to vote in the precinct.

8  
9       (h) An applicant may register to vote in person:

10  
11       (i) In his proper polling place at any election  
12 specified in W.S. 22-2-101(a) (i) through (viii); or

13  
14       (ii) In the office of the county clerk or city  
15 clerk in the principal office building of the county or city  
16 in the presence of the registry agent.

17  
18       ~~(d)~~ (j) A county or city clerk may establish and  
19 maintain registration facilities in a public building owned  
20 or occupied by a political subdivision or governmental  
21 institution, agency or entity, after giving not less than  
22 two (2) days notice by publication in a newspaper of general  
23 circulation in the county and by posting such notice in such  
24 clerk's office and on the front door of such public

1 building. The requirements of subsection ~~(a)~~(h) of this  
2 section regarding the place of registration shall not apply  
3 to a person registering in accordance with this subsection.

4  
5 **22-3-108. Official registry list information.**

6  
7 (a) The official registry list shall contain at least  
8 the following information as to each registered elector:

9  
10 (vi) Date of birth; and

11  
12 (vii) The elector's Wyoming driver's license  
13 number, or if the elector has no Wyoming driver's license,  
14 one (1) of the following unique identifying numbers:

15  
16 (A) The last four (4) digits of the  
17 elector's social security number, or if the elector also has  
18 no social security number;

19  
20 (B) A unique identifying number generated by  
21 the state.

22  
23 (b) The official registry list may contain the  
24 following information as to each registered elector:

1

2

(ii) County of residence;

3

4

(v) ~~Whether resident within~~ Name of municipal  
5 ~~corporate limits, and, if so, its name~~ corporation of  
6 residence, if any;

7

8

(vi) Number of school district ~~number of~~  
9 residence; ~~and~~

10

11

(viii) Gender; and

12

13

(ix) Telephone number, if any.

14

15

(c) The county clerk may maintain within the election  
16 records the social security numbers of registered electors  
17 for identification purposes. ~~, which information shall not be~~  
18 ~~a part of the public record.~~

19

20

**22-3-117. Absentee registration generally; use of  
21 federal postcard.**

22

23

(b) Under the ~~Military~~ Uniformed and Overseas Citizens  
24 Absentee Voting Act, 42 U.S.C. 1973ff ~~(1986) or any~~



1 ~~subsequent federal laws of similar purpose~~ (2002) the  
2 following persons shall be allowed to simultaneously  
3 register and make application for an absentee ballot through  
4 the use of the Federal Postcard Application (FPCA), provided  
5 those persons are residents of this state or in the case of  
6 overseas citizens, they were last domiciled in Wyoming  
7 immediately prior to their departure from the United States  
8 and are not registered to vote in any other jurisdiction:

9  
10 (i) Members of the ~~armed forces and merchant~~  
11 ~~marine~~ uniformed services and their spouses and dependents  
12 residing with them;

13  
14 (ii) Overseas citizens and their spouses and  
15 dependents residing with them; ~~and~~

16  
17 (iii) Citizens temporarily residing outside of  
18 the United States, ~~and the District of Columbia,~~ and their  
19 spouses and dependents residing with them; and

20  
21 (c) Registration through the Federal Postcard  
22 Application constitutes temporary registration for ~~the~~  
23 ~~current election year only~~ the purpose of voting in one (1)  
24 election or through as many as the next two (2) federal

1 election cycles, including the primary and general and  
2 special federal elections, and the registration of such a  
3 registrant shall ~~not be entered on the permanent~~  
4 ~~registration records of the county clerk~~ be maintained as  
5 provided in W.S. 22-3-102(d). The Federal Postcard  
6 Application shall be accepted if completed and signed by the  
7 applicant under penalty of perjury.

8  
9 (d) If any person specified in subsection (b) of this  
10 section desires permanent registration, that person shall  
11 subscribe to the voter registration oath prescribed by W.S.  
12 22-3-103. The oath shall be self-administered under penalty  
13 of perjury and notwithstanding W.S. 22-3-104 does not  
14 require the signature of an oath-taking official.

15  
16 **22-5-205. Nomination application form for nonpartisan**  
17 **office.**

18  
19 (a) An eligible person seeking nomination for a  
20 nonpartisan office must file an application in substantially  
21 the following form:

22  
23 APPLICATION FOR NOMINATION BY NONPARTISAN PRIMARY  
24

1 State of Wyoming )  
 2 ) ss  
 3 County of .... )  
 4

5 I, ....., swear or affirm that I was born on ....., that  
 6 I have been a resident of the State of Wyoming since .....,  
 7 and that I am a registered voter of .... County, residing at  
 8 ....., and that I am eligible to be elected to such office,  
 9 and I hereby request that my name be printed upon the  
 10 official nonpartisan ballot at the next primary election as  
 11 a candidate for the office indicated below as follows:

12 ~~Justice of the peace.~~ (Name of office)

13 I am seeking (1) the regular term or (2) the unexpired  
 14 term which terminates on the .... day of ....., (year).

15 Dated this .... day of ....., (year).

16 ..... Signature

17

18 **22-6-103. Official ballots.**

19

20 (a) The official ballot shall contain the name of  
 21 every candidate and every ballot proposition lawfully  
 22 entitled to appear on the ballot. Only official ballots  
 23 shall be cast at any election.

24

1       (b) The official absentee ballot shall be in the  
 2 form prescribed by law for the official ballot or a  
 3 reasonable printed reproduction of the prescribed form  
 4 for electronic ballots.

5

6       **22-6-126. Form of nonpartisan ballots.**

7

8       (a) The official nonpartisan ballot for a general  
 9 election shall be printed in substantially the following  
 10 form:

11

12       OFFICIAL NONPARTISAN ELECTION BALLOT

13       GENERAL ELECTION

14

15       County of ....., Election District ....., Precinct ....

16       Date .....

17

18       (here print instructions)

19

20       CANDIDATES FOR PUBLIC OFFICE

21

22       For Justice(s) of the Supreme Court

23       (Here designate the particular term,



1 term, such as "regular four-

2 year term", or the "unexpired term of .... years").

3

4 Shall Judge John Doe be retained in office? Yes No

5

6

7 Shall Judge Richard Roe be retained in office? Yes No

8

9

10 For Magistrate

11 (Here designate the particular term,

12 such as "regular four (4) year term",

13 or the "unexpired term of .... years").

14

15 Shall Magistrate John Doe be retained in office?

16 Yes No

17

18

19 Shall Magistrate Richard Roe be retained in office?

20 Yes No

21

22

23 ~~For Justice of the Peace~~ ~~Vote for~~

24 ~~(Here designate the particular~~ ~~one~~

1 ~~term, such as "regular four-~~  
 2 ~~year term", or the "unexpired \_\_\_\_\_ John Doe~~   
 3 ~~term of .... years"). \_\_\_\_\_ Richard Ree~~

4  
 5 Align all designations of office to correspond on the  
 6 ballot with the listing of names of candidates for the  
 7 proper office and term.

8

9 BALLOT PROPOSITIONS

10

11 Proposed Constitutional Amendment Letter A:

12		For	Against
13	(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>

14	Proposed Initiative Proposition Number One:	For	Against
15	(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>

16

17	Proposed Referendum Proposition Number One:	For	Against
18	(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>

19

20	Other Ballot Propositions:	For	Against
21	(Ballot Statement For Each Proposition)	<input type="checkbox"/>	<input type="checkbox"/>

22

23 **22-9-109. Form of absentee ballot.**

24

1 The absentee ballot shall be in the same form prescribed by  
2 law for the official ballot or a reasonable printed  
3 reproduction of the prescribed form for electronic ballots.  
4

5 **22-11-103. Capabilities required.**

6  
7 (a) Every electronic voting system adopted for use in  
8 Wyoming shall:

9  
10 (iii) Permit voting either by paper ballot, ~~or~~ by  
11 ballot card or by other mechanical, magnetic or electrical  
12 means by which a vote may be recorded;  
13

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

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



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

6

7 **22-15-105. Challenged person may vote; generally.**

8

9 (b) A person challenged on any ground ~~except not being~~  
 10 ~~registered to vote~~ may vote by provisional ballot, if he  
 11 subscribes this oath in writing before a judge of election:

12 "I do solemnly swear (or affirm) that I am the person I  
 13 represent myself to be and that I am a qualified elector  
 14 entitled to vote in this precinct at this election and that  
 15 this is the only ballot I have or will vote in this  
 16 election."

17 .....

18 Signature of voter

19 .....

20 Signature of judge

21 .....

22 Precinct and District No.

23

1 (d) A challenged voter may present information ~~for~~  
2 ~~consideration of the challenge~~ and documentation of his  
3 eligibility to register at the election or to vote to the  
4 county clerk until the close of business on the day  
5 following the election. Any information presented shall be  
6 considered by the canvassing board ~~with the~~ in determining  
7 the voter's eligibility to register at the election or to  
8 vote and whether to open and count his provisional ballot.  
9 The provisional ballot shall be counted only after the voter  
10 has, by presenting documentation required under this code to  
11 the county clerk, established he had previously registered  
12 and is a qualified elector or he was eligible to register at  
13 the election and is a qualified elector.

14

15 **22-16-103. County canvass procedures.**

16

17 (c) The county canvassing board shall:

18

19 (i) Meet as soon as all returns have been  
20 received and abstracted, but if any provisional ballots have  
21 been cast in the county, not before the time has passed for  
22 provisional voters to document their eligibility to register  
23 or to vote. The board shall meet at a time and place

1 designated by the county clerk, but no later than the first  
2 Friday following the election;

3

4 (iii) Review and determine the ~~validity of~~  
5 ~~provisional ballots~~ eligibility of provisional voters to  
6 register at the election if not previously registered and to  
7 vote and determine whether their provisional ballots may be  
8 opened and counted. The canvassing board shall meet in  
9 executive session when necessary to protect the  
10 confidentiality of ballots and of a voter's confidential  
11 personally identifiable information;

12

13 (iv) Count and tabulate the votes on the  
14 provisional ballots which were determined to ~~be valid~~ have  
15 been cast by qualified electors;

16

17 **22-24-112. Petitions; circulation; contests.**

18

19 (b) Any person may contest the qualifications of an  
20 individual designated as a circulator by filing a petition  
21 in the ~~justice of the peace court or~~ circuit court within  
22 the county where the circulator was soliciting signatures or  
23 in the district court within ten (10) days of the  
24 solicitation activity. The court shall hear and decide any

1 such action within five (5) days from the date the petition  
2 is filed. Among the criteria the court may use in  
3 determining the qualifications of the circulator are the  
4 following:

5

6 **22-25-106. Filing of campaign reports.**

7

8 (b) Reports of itemized statements of receipt and  
9 statements of receipts and expenditures, and statements of  
10 termination shall be made with the appropriate filing  
11 officers specified under W.S. 22-25-107 and in accordance  
12 with the following:

13

14 (i) Except as otherwise provided in this section,  
15 any political action committee, candidate's campaign  
16 committee, or any political action committee formed under  
17 federal law or the law of another state that contributes to  
18 a Wyoming political action committee or to a candidate's  
19 campaign committee, and any other organization supporting or  
20 opposing any ballot proposition which expends any funds in  
21 any primary, general or special election shall file an  
22 itemized statement of receipts at least seven (7) days  
23 before the election current to any day from the eighth day  
24 up to the fourteenth day before the election and shall also

1 file a statement of receipts and expenditures within ten  
2 (10) days after a primary, general or special election;

3

4 **22-25-107. Where statements to be filed.**

5

6 (b) Statements required to be filed at least seven (7)  
7 days before any primary, general or special election may be  
8 filed by facsimile transmission without the original  
9 signatures. Statements required to be filed after any  
10 primary, general or special election may be filed by  
11 facsimile transmission provided that an original with the  
12 required signatures is sent.

13

14 **31-7-120. Records to be kept by division; exceptions.**

15

16 (c) The division is authorized to provide personally  
17 identifiable information in its records to the secretary of  
18 state for the implementation of the voter registration  
19 system. The provision of information shall be for the  
20 purpose of verifying voter registration data. The division  
21 shall do so in accordance with terms agreed upon by the  
22 secretary and the director of the department.

23

1       (d) The division is authorized to provide personally  
2 identifiable information in its records to the commissioner  
3 of social security for the purpose of having the applicable  
4 information matched with the information in the  
5 commissioner's records. The division shall do so in  
6 accordance with the Social Security Act, 42 U.S.C. 405(r),  
7 and the terms agreed upon by the commissioner of social  
8 security and the director of the department.

9

10       **35-1-426. Disclosure of records.**

11

12       (d) The department of health is authorized to provide  
13 the necessary information in death records to the secretary  
14 of state for the maintenance of the voter registration  
15 system by removing names of voters who are deceased from the  
16 voter registration list. This disclosure of death records  
17 shall be conducted in accordance with the terms agreed upon  
18 by the secretary of state and the director of the department  
19 of health.

20

21       **Section 3.** Two hundred fifty thousand dollars  
22 (\$250,000.00) is appropriated from the budget reserve  
23 account for the purpose of meeting a five percent (5%) state  
24 match requirement under the Help America Vote Act of 2002.

1 This appropriation, when required by the Help America Vote  
2 Act, shall be placed into an account within the federal  
3 revenue fund together with matching federal payments.  
4 Interest earned on the account shall be credited to the  
5 account. All funds appropriated under this section shall be  
6 considered one-time funding and shall not be included within  
7 the office of the secretary of state's standard budget  
8 request for the 2005-2006 biennium. Notwithstanding W.S.  
9 9-4-207(a), any unexpended funds appropriated under this  
10 section shall not revert to the budget reserve account at  
11 the end of the biennium.

12

13 **Section 4.** W.S. 22-3-102(b), 22-3-104(a) and (b),  
14 22-3-108(b)(i) and (iv), 22-5-203(a), 22-5-401(b)(iii) and  
15 22-6-125(a)(v) are repealed.

16

17 **Section 5.** This act is effective immediately upon  
18 completion of all acts necessary for a bill to become law as  
19 provided by Article 4, Section 8 of the Wyoming  
20 Constitution.

21

22

(END)