

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 and residency.**

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 utility bill, bank statement,  
19 paycheck, government check or other government document  
20 which shows his name and current residence 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 utility bill, bank statement,  
6 government check, paycheck, or other government document  
7 which shows his name and current residence address.

8

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

15

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

19

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

23

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 (j) and by amending and renumbering (d) as (k),  
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), 22-18-103,  
13 22-24-112(b)(intro), 22-25-106(b)(i), 22-25-107(b), 31-7-120  
14 by creating new subsections (c) and (d) and 35-1-426 by  
15 creating a new 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 .... )

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 and residency for**  
14 **registration; verification; signing oath; time for proving**  
15 **eligibility; 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

(iii) Also provide the following as specified:

3

4

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

6

7

(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

10

11

(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.

16

17

(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.

20

21

(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 and determination by the county clerk that the numbers and information provided

24

1 by the person seeking to register are valid and sufficient  
2 for registration.

3

4 (g) On election day, when an individual is registering  
5 at the polls, he shall be registered to vote upon receipt by  
6 the county clerk of the completed and signed registration  
7 oath subscribed by the registry agent in accordance with  
8 this section.

9

10 (h) On election day, applicants attempting to register  
11 who lack one (1) or more of the required numbers or  
12 documents shall be offered provisional ballots in accordance  
13 with W.S. 22-15-105 and permitted until the close of  
14 business on the day following the election to present  
15 documentation to the county clerk establishing their  
16 eligibility to register and to vote in the precinct.

17

18 (j) An applicant may register to vote in person:

19

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

22

1           (ii) In the office of the county clerk or city  
2 clerk in the principal office building of the county or city  
3 in the presence of the registry agent.

4  
5           ~~(d)~~(k) A county or city clerk may establish and  
6 maintain registration facilities in a public building owned  
7 or occupied by a political subdivision or governmental  
8 institution, agency or entity, after giving not less than  
9 two (2) days notice by publication in a newspaper of general  
10 circulation in the county and by posting such notice in such  
11 clerk's office and on the front door of such public  
12 building. The requirements of subsection ~~(a)~~(j) of this  
13 section regarding the place of registration shall not apply  
14 to a person registering in accordance with this subsection.

15

16           **22-3-108. Official registry list information.**

17

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

20

21           (vi) Date of birth; and

22

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

4  
5           (A) The last four (4) digits of the  
6 elector's social security number, or if the elector also has  
7 no social security number;

8  
9           (B) A unique identifying number generated by  
10 the state.

11  
12           (b) The official registry list may contain the  
13 following information as to each registered elector:

14  
15           (ii) County of residence;

16  
17           (v) ~~Whether resident within~~ Name of municipal  
18 ~~corporate limits, and, if so, its name~~ corporation of  
19 residence, if any;

20  
21           (vi) Number of school district ~~number of~~  
22 residence; ~~and~~

23  
24           (viii) Gender; and

1

2

(ix) Telephone number, if any.

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

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(b) Under the Military Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. 1973ff ~~(1986) or any~~ subsequent federal laws of similar purpose (2002) the following persons shall be allowed to simultaneously register and make application for an absentee ballot through the use of the Federal Postcard Application (FPCA), provided those persons are residents of this state or in the case of overseas citizens, they were last domiciled in Wyoming immediately prior to their departure from the United States and are not registered to vote in any other jurisdiction:

1 (i) Members of the ~~armed forces and merchant~~  
2 ~~marine~~ uniformed services and their spouses and dependents  
3 residing with them;

4  
5 (ii) Overseas citizens and their spouses and  
6 dependents residing with them; ~~and~~

7  
8 (iii) Citizens temporarily residing outside of  
9 the United States, ~~and the District of Columbia,~~ and their  
10 spouses and dependents residing with them; and

11  
12 (c) Registration through the Federal Postcard  
13 Application constitutes temporary registration for ~~the~~  
14 ~~current election year only~~ the purpose of voting in one (1)  
15 election or through as many as the next two (2) federal  
16 election cycles, including the primary and general and  
17 special federal elections, and the registration of such a  
18 registrant shall ~~not be entered on the permanent~~  
19 ~~registration records of the county clerk~~ be maintained as  
20 provided in W.S. 22-3-102(d). The Federal Postcard  
21 Application shall be accepted if completed and signed by the  
22 applicant under penalty of perjury.

23

1 (d) If any person specified in subsection (b) of this  
 2 section desires permanent registration, that person shall  
 3 subscribe to the voter registration oath prescribed by W.S.  
 4 22-3-103. The oath shall be self-administered under penalty  
 5 of perjury and notwithstanding W.S. 22-3-104 does not  
 6 require the signature of an oath-taking official.

7

8 **22-5-205. Nomination application form for nonpartisan**  
 9 **office.**

10

11 (a) An eligible person seeking nomination for a  
 12 nonpartisan office must file an application in substantially  
 13 the following form:

14

15 APPLICATION FOR NOMINATION BY NONPARTISAN PRIMARY

16

17 State of Wyoming )  
 18 ) ss  
 19 County of .... )

20

21 I, ....., swear or affirm that I was born on ....., that  
 22 I have been a resident of the State of Wyoming since .....,  
 23 and that I am a registered voter of .... County, residing at  
 24 ....., and that I am eligible to be elected to such office,

1 and I hereby request that my name be printed upon the  
2 official nonpartisan ballot at the next primary election as  
3 a candidate for the office indicated below as follows:

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

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

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

8 ..... Signature

9

10 **22-6-103. Official ballots.**

11

12 (a) The official ballot shall contain the name of  
13 every candidate and every ballot proposition lawfully  
14 entitled to appear on the ballot. Only official ballots  
15 shall be cast at any election.

16

17 (b) The official absentee ballot shall be in the  
18 form prescribed by law for the official ballot or a  
19 reasonable printed reproduction of the prescribed form  
20 for electronic ballots.

21

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

23



1

2 For Judge(s) of the District Court of the ....  
3 Judicial District

4 (Here designate the particular term,  
5 such as "regular six (6) year term",  
6 or the "unexpired term of .... years").

7

8 Shall Judge Jane Roe be retained in office? Yes No  
9

10

11 Shall Judge Richard Roe be retained in office? Yes No  
12

13

14

15 For Circuit Court Judge  
16 (Here designate the particular  
17 term, such as "regular four-  
18 year term", or the "unexpired term of .... years").

19

20 Shall Judge John Doe be retained in office? Yes No  
21

22

23 Shall Judge Richard Roe be retained in office? Yes No  
24

1

2

For Magistrate

3

(Here designate the particular term,

4

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

5

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

6

7

Shall Magistrate John Doe be retained in office?

8

Yes No

9

10

11

Shall Magistrate Richard Roe be retained in office?

12

Yes No

13

14

15

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

16

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

17

~~term, such as "regular four~~

18

~~year term", or the "unexpired~~ ~~John Doe~~

19

~~term of .... years").~~ ~~Richard Roe~~

20

21

Align all designations of office to correspond on the

22

ballot with the listing of names of candidates for the

23

proper office and term.

24

1 BALLOT PROPOSITIONS

2

3 Proposed Constitutional Amendment Letter A:

4 For Against

5 (Ballot Statement)

6 Proposed Initiative Proposition Number One: For Against

7 (Ballot Statement)

8

9 Proposed Referendum Proposition Number One: For Against

10 (Ballot Statement)

11

12 Other Ballot Propositions: For Against

13 (Ballot Statement For Each Proposition)

14

15 **22-9-109. Form of absentee ballot.**

16

17 The absentee ballot shall be in the same form prescribed by  
18 law for the official ballot or a reasonable printed  
19 reproduction of the prescribed form for electronic ballots.

20

21 **22-11-103. Capabilities required.**

22

23 (a) Every electronic voting system adopted for use in  
24 Wyoming shall:

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

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

For ballots designed to be counted by machine, each individual vote shall be determined by the voting equipment and shall not be determined subjectively by human tabulation except when the intent of the voter is unmistakable but the ballot was received in such damaged, soiled, or other condition that it is rejected by the machine. The secretary of state may promulgate rules establishing standards for counting such ballots. For ballots not designed to be counted by machine, only votes clearly marked, as provided by W.S. 22-14-104 and rules promulgated pursuant to this code, shall be tallied. For write-in votes, names which are misspelled or abbreviated or the use of nicknames of candidates shall be counted for the candidate if the vote is obvious to the board.

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

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

4 "I do solemnly swear (or affirm) that I am the person I  
 5 represent myself to be and that I am a qualified elector  
 6 entitled to vote in this precinct at this election and that  
 7 this is the only ballot I have or will vote in this  
 8 election."

9 .....

10 Signature of voter

11 .....

12 Signature of judge

13 .....

14 Precinct and District No.

15

16 (d) A challenged voter may present information ~~for~~  
 17 ~~consideration of the challenge~~ and documentation of his  
 18 eligibility to register at the election or to vote to the  
 19 county clerk until the close of business on the day  
 20 following the election. Any information presented shall be  
 21 considered by the canvassing board ~~with the~~ in determining  
 22 the voter's eligibility to register at the election or to  
 23 vote and whether to open and count his provisional ballot.  
 24 The provisional ballot shall be counted only after the voter

1 has, by presenting documentation required under this code to  
2 the county clerk, established he had previously registered  
3 and is a qualified elector or he was eligible to register at  
4 the election and is a qualified elector.

5  
6 **22-16-103. County canvass procedures.**

7  
8 (c) The county canvassing board shall:

9  
10 (i) Meet as soon as all returns have been  
11 received and abstracted, but if any provisional ballots have  
12 been cast in the county, not before the time has passed for  
13 provisional voters to document their eligibility to register  
14 or to vote. The board shall meet at a time and place  
15 designated by the county clerk, but no later than the first  
16 Friday following the election;

17  
18 (iii) Review and determine the ~~validity of~~  
19 ~~provisional ballots~~ eligibility of provisional voters to  
20 register at the election if not previously registered and to  
21 vote and determine whether their provisional ballots may be  
22 opened and counted. The canvassing board shall meet in  
23 executive session when necessary to protect the

1 confidentiality of ballots and of a voter's confidential  
2 personally identifiable information;

3  
4 (iv) Count and tabulate the votes on the  
5 provisional ballots which were determined to ~~be valid~~ have  
6 been cast by qualified electors;

7  
8 **22-18-103. Filling vacancy of congressman; generally.**

9  
10 (a) A vacancy in the office of representative in  
11 congress shall be filled for the unexpired term at a special  
12 election called for the purpose by the governor, provided  
13 the vacancy does not occur within six (6) months of the next  
14 general election.

15  
16 (b) Notwithstanding any other provision of this  
17 article, in the event of a national emergency resulting in  
18 vacancies in five percent (5%) or more of the seats of the  
19 United States House of Representatives, including a vacancy  
20 in the Wyoming office of representative in congress, the  
21 governor shall make a temporary appointment to fill that  
22 office. He shall do so in accordance with the statutory  
23 procedure for filling a vacancy in the office of United  
24 States senator. The individual selected shall serve until

1 replaced by an elected successor as provided in this  
2 article.

3  
4 **22-24-112. Petitions; circulation; contests.**

5  
6 (b) Any person may contest the qualifications of an  
7 individual designated as a circulator by filing a petition  
8 in the ~~justice of the peace court or~~ circuit court within  
9 the county where the circulator was soliciting signatures or  
10 in the district court within ten (10) days of the  
11 solicitation activity. The court shall hear and decide any  
12 such action within five (5) days from the date the petition  
13 is filed. Among the criteria the court may use in  
14 determining the qualifications of the circulator are the  
15 following:

16  
17 **22-25-106. Filing of campaign reports.**

18  
19 (b) Reports of itemized statements of receipt and  
20 statements of receipts and expenditures, and statements of  
21 termination shall be made with the appropriate filing  
22 officers specified under W.S. 22-25-107 and in accordance  
23 with the following:

24

1           (i) Except as otherwise provided in this section,  
2 any political action committee, candidate's campaign  
3 committee, or any political action committee formed under  
4 federal law or the law of another state that contributes to  
5 a Wyoming political action committee or to a candidate's  
6 campaign committee, and any other organization supporting or  
7 opposing any ballot proposition which expends any funds in  
8 any primary, general or special election shall file an  
9 itemized statement of receipts at least seven (7) days  
10 before the election current to any day from the eighth day  
11 up to the fourteenth day before the election and shall also  
12 file a statement of receipts and expenditures within ten  
13 (10) days after a primary, general or special election;

14

15           **22-25-107. Where statements to be filed.**

16

17           (b) Statements required to be filed at least seven (7)  
18 days before any primary, general or special election may be  
19 filed by facsimile transmission without the original  
20 signatures. Statements required to be filed after any  
21 primary, general or special election may be filed by  
22 facsimile transmission provided that an original with the  
23 required signatures is sent.

24

1           **31-7-120. Records to be kept by division; exceptions.**

2

3           (c) The division is authorized to provide personally  
4 identifiable information in its records to the secretary of  
5 state for the implementation of the voter registration  
6 system. The provision of information shall be for the  
7 purpose of verifying voter registration data. The division  
8 shall do so in accordance with terms agreed upon by the  
9 secretary and the director of the department.

10

11           (d) The division is authorized to provide personally  
12 identifiable information in its records to the commissioner  
13 of social security for the purpose of having the applicable  
14 information matched with the information in the  
15 commissioner's records. The division shall do so in  
16 accordance with the Social Security Act, 42 U.S.C. 405(r),  
17 and the terms agreed upon by the commissioner of social  
18 security and the director of the department.

19

20           **35-1-426. Disclosure of records.**

21

22           (d) The department of health is authorized to provide  
23 the necessary information in death records to the secretary  
24 of state for the maintenance of the voter registration

1 system by removing names of voters who are deceased from the  
2 voter registration list. This disclosure of death records  
3 shall be conducted in accordance with the terms agreed upon  
4 by the secretary of state and the director of the department  
5 of health.

6  
7       **Section 3.** Two hundred fifty thousand dollars  
8 (\$250,000.00) is appropriated from the budget reserve  
9 account for the purpose of meeting a five percent (5%) state  
10 match requirement under the Help America Vote Act of 2002.  
11 This appropriation, when required by the Help America Vote  
12 Act, shall be placed into an account within the federal  
13 revenue fund together with matching federal payments.  
14 Interest earned on the account shall be credited to the  
15 account. All funds appropriated under this section shall be  
16 considered one-time funding and shall not be included within  
17 the office of the secretary of state's standard budget  
18 request for the 2005-2006 biennium. Notwithstanding W.S.  
19 9-4-207(a), any unexpended funds appropriated under this  
20 section shall not revert to the budget reserve account at  
21 the end of the biennium.

22

1           **Section 4.** W.S. 22-3-102(b), 22-3-104(a) and (b),  
2 22-3-108(b)(i) and (iv), 22-5-203(a), 22-5-401(b)(iii) and  
3 22-6-125(a)(v) are repealed.

4

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

9

10

(END)