

SENATE FILE NO. SF0049

Initiative and referendum-revisions.

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

A BILL

for

1 AN ACT relating to initiatives and referendums; repealing
2 prior initiative and referendum provisions; creating
3 separate initiative and referendum provisions; revising
4 initiative and referendum procedures and language; removing
5 restrictions on circulator qualifications and pay as
6 specified; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 22-24-301 through 22-24-323 and
11 22-24-401 through 22-24-420 are created to read:

12

13 ARTICLE 3

14 INITIATIVE

15

1 **22-24-301. Right of initiative; limitations.**

2

3 The people may propose and enact laws by the initiative.
4 However, the initiative shall not be used to dedicate
5 revenues, make or repeal appropriations, create courts,
6 define the jurisdiction of courts or prescribe their rules,
7 enact local or special legislation, enact anything
8 prohibited by the constitution for enactment by the
9 legislature, or enact anything that is substantially the
10 same as that defeated by an initiative election within five
11 (5) years preceding the time of filing of the petition.

12

13 **22-24-302. Application; filing and fee.**

14

15 An initiative shall be proposed by filing an application
16 with the secretary of state. A fee of five hundred dollars
17 (\$500.00) shall accompany the application. This fee shall
18 be deposited in the general fund.

19

20 **22-24-303. Application; contents.**

21

22 (a) The application shall be on a form prescribed by
23 the secretary of state and shall include:

1

2 (i) The proposed bill to be initiated;

3

4 (ii) The designation of a committee of three (3)
5 applicants who shall represent all sponsors and subscribers
6 in matters relating to the initiative; and

7

8 (iii) A statement that the committee of
9 applicants are qualified registered voters who signed the
10 application with the proposed bill attached.

11

12 **22-24-304. Requirements as to proposed bill.**

13

14 (a) In an initiative, the proposed bill shall be
15 confined to one (1) subject, the entire subject of the bill
16 shall be expressed in the title, the enacting clause shall
17 be: "Be it enacted by the people of the state of Wyoming:"
18 and the bill shall not include subjects restricted by W.S.
19 22-24-301.

20

21 (b) In an initiative, concurrently with the filing of
22 the application, the proposed bill shall be submitted by
23 the committee of applicants to the secretary of state for

1 review and comment. Upon request of the secretary of
2 state, the legislative service office or any agency in the
3 executive department shall render assistance in reviewing
4 and preparing comments on the proposed bill. No later than
5 fourteen (14) calendar days after the date of submission,
6 at a conference scheduled by the secretary of state, the
7 secretary shall render to the committee of applicants
8 comments on any problems encountered concerning the format
9 or contents of the proposed bill. The comments shall not
10 be disclosed prior to the conference with the committee of
11 applicants but, at such time as the application is
12 certified, the comments shall become a public record. After
13 the conference but before certification the committee of
14 applicants may amend the proposed bill in response to some
15 or all of the comments of the secretary of state and
16 resubmit the proposed bill in accordance with this
17 subsection, or they may disregard the comments entirely.
18 The committee of applicants shall notify the secretary of
19 state in writing within five (5) calendar days after the
20 conference whether the proposed bill will be amended. If
21 the proposed bill is to be amended it shall be resubmitted
22 for review and comment in accordance with this subsection.
23 At any time the committee of applicants chooses not to

1 amend or further amend a proposed bill, the committee of
2 applicants may submit the proposed bill to the secretary of
3 state for certification.

4
5 (c) No later than thirty (30) days after a proposed
6 bill is submitted for certification, the committee of
7 applicants shall submit to the secretary of state the
8 names, signatures, addresses and the date of signing of one
9 hundred (100) qualified registered voters who will act as
10 sponsors supporting the application and proposed bill in
11 their final form. The committee of applicants may act as
12 sponsors if duly qualified.

13
14 **22-24-305. Notice to committee.**

15
16 Notice to the committee of applicants on any matter
17 pertaining to the application and petition shall be served
18 on any member of the committee in person, by mail, or
19 electronically, addressed to a committee member at the
20 address indicated on the application.

21
22 **22-24-306. Sponsors and circulators.**

1 (a) The one hundred (100) qualified registered voters
2 who subscribe to the application are designated as
3 sponsors. The committee of applicants may designate
4 additional qualified individuals to act as circulators of
5 the petitions by giving written notice to the secretary of
6 state signed by one (1) member of the committee of
7 applicants verifying under oath the names, qualifications
8 and addresses of those so designated. An individual shall
9 not be qualified to act as a circulator unless he is a
10 citizen of the United States and is at least eighteen (18)
11 years of age. A member of the committee of applicants may
12 act as a circulator if duly qualified.

13

14 (b) The committee of sponsors shall file receipt and
15 expenditure reports as required by W.S. 22-25-106.

16

17 **22-24-307. Review by secretary of state; conditional**
18 **certification.**

19

20 Within seven (7) calendar days after receiving a final
21 proposed bill, the secretary of state shall review the
22 proposed bill and its associated application and shall
23 either conditionally certify it, pending submission of the

1 qualified signatures required by W.S. 22-24-304(e), or
2 notify the committee of applicants in writing of the
3 grounds for denial.

4
5 **22-24-308. Grounds for denying certification of**
6 **initiative application.**

7
8 (a) The secretary of state shall deny final
9 certification of an initiative application if he determines
10 that:

11
12 (i) The proposed bill to be initiated is not in
13 the required form;

14
15 (ii) The application is not in the required
16 form;

17
18 (iii) The committee of applicants failed to
19 submit a sufficient number of qualified registered voters
20 as sponsors within thirty (30) days after submitting its
21 final proposed bill and application for certification; or

22

1 (iv) The proposed bill was not submitted for
2 review and comment in accordance with W.S. 22-24-304.

3

4 **22-24-309. Fiscal impact.**

5

6 (a) Upon the certification or conditional
7 certification of any initiative application, if in the
8 opinion of the secretary of state the proposed bill will
9 have a fiscal impact on the state, the secretary of state
10 shall prepare an estimate and explanation of the fiscal
11 impact. The explanation shall include a statement that it
12 is an estimate of fiscal impact to the state only and does
13 not include an estimate of any impact upon political
14 subdivisions. Upon request of the secretary of state, any
15 agency in the executive department shall render assistance
16 in preparing the estimate and explanation of fiscal impact.

17

18 (b) No later than fourteen (14) days after final
19 certification of an initiative application, the secretary
20 of state shall render to the committee of applicants its
21 fiscal impact estimate and explanation. If the committee
22 believes that the secretary of state's estimate is
23 inaccurate, within fourteen (14) days after receiving the

1 secretary of state's estimate and explanation, the
2 committee of applicants may submit to the secretary of
3 state its own estimate and explanation of fiscal impact.
4 Upon receiving the committee of applicants' estimate and
5 explanation, the secretary of state may revise its estimate
6 if in the opinion of the secretary of state the committee
7 demonstrates that the secretary of state's estimate is
8 inaccurate. If the final estimated fiscal impact by the
9 secretary of state and the final estimated fiscal impact by
10 the committee of applicants differ by more than twenty-five
11 thousand dollars (\$25,000.00), the secretary of state's
12 comments under the ballot proposition shall contain an
13 estimated range of fiscal impact reflecting both estimates.

14

15 **22-24-310. Petitions; generally.**

16

17 (a) Upon final certification of an initiative
18 application and the finalization of any fiscal estimate
19 pursuant to W.S. 22-24-309, the secretary of state shall
20 prescribe the form of and prepare petitions containing:

21

22 (i) A copy of the proposed bill;

23

1 (ii) An impartial summary of the subject matter
2 of the bill;

3
4 (iii) The warning required by W.S. 22-24-311;

5
6 (iv) Sufficient space for printed names,
7 signatures and addresses;

8
9 (v) If a circulator will be paid to solicit
10 signatures on a petition, each signature page circulated by
11 that circulator shall contain, in twelve (12) point or
12 larger boldface type, the following statement: "This
13 circulator is being paid to solicit signatures for this
14 ballot proposition." The statement shall be prominently
15 displayed and made visible to the petition signer by the
16 circulator; and

17
18 (vi) Other specifications necessary to assure
19 proper handling and control.

20
21 (b) Pursuant to rules adopted by the secretary of
22 state, petitions, for purposes of circulation, shall be
23 prepared by the secretary of state at the sponsor's

1 expense. Petitions shall be printed in a number reasonably
2 calculated to allow full circulation throughout the state.
3 A paid circulator shall solicit signatures on a petition
4 only if each signature page circulated by that circulator
5 contains the statement required under paragraph (a)(v) of
6 this section.

7
8 (c) The secretary of state shall number each petition
9 and shall keep a record of the petitions.

10
11 (d) Upon request of the committee of applicants, the
12 secretary of state shall report the number of persons who
13 voted in the preceding general election.

14
15 (e) The secretary of state, on any printed material
16 circulated by the secretary of state describing the
17 proposition, shall include notice whether any paid
18 circulator was used to gather signatures as required by
19 paragraph (a)(v) of this section.

20
21 **22-24-311. Petitions; statement of warning.**
22

1 Each petition shall include a statement of warning that a
2 person who signs a name other than his own on the petition,
3 or who knowingly signs his name more than once for the same
4 proposition at one (1) election, or who signs the petition
5 knowing that he is not a qualified registered voter, upon
6 conviction, is punishable by a fine of not more than one
7 thousand dollars (\$1,000.00) or by imprisonment for not
8 more than one (1) year or both.

9
10 **22-24-312. Petitions; circulation; contests.**

11
12 (a) The petitions shall be circulated throughout the
13 state only by a sponsor or an individual designated in
14 accordance with W.S. 22-24-306 as a circulator and only in
15 person.

16
17 (b) Any person may contest the qualifications of an
18 individual designated as a circulator by filing a petition
19 in the district court within ten (10) days of the
20 solicitation activity. The court shall hear and decide any
21 such action within five (5) days from the date the petition
22 is filed.

1 (c) Any party prevailing in any action filed pursuant
2 to subsection (b) of this section may be awarded costs and
3 reasonable attorney's fees by the court. The court shall
4 notify the secretary of state of its findings as to the
5 qualifications of a circulator within five (5) days of the
6 determination.

7

8 **22-24-313. Petitions; subscribing to and withdrawing**
9 **name.**

10

11 Any qualified registered voter may subscribe to the
12 petition by signing his name and listing his address. A
13 person who has signed the petition may withdraw his name
14 only by giving written notice of his printed name,
15 residence and contact information to the secretary of state
16 before the time that the petition is filed.

17

18 **22-24-314. Petitions; verification.**

19

20 (a) Before a petition is filed, it shall be verified
21 by the sponsor or circulator who personally circulated it.
22 The verification shall be in affidavit form and shall state
23 in substance that:

1

2 (i) The person signing the affidavit is a
3 sponsor or an individual designated and qualified in
4 accordance with W.S. 22-24-306 and is the only circulator
5 of that petition;

6

7 (ii) The signatures on the petition were made in
8 his presence; and

9

10 (iii) To the best of his knowledge, such
11 signatures are those of the persons whose names they
12 purport to be.

13

14 (b) In determining the sufficiency of the petition,
15 the secretary of state shall not:

16

17 (i) Count signatures on petitions not properly
18 verified;

19

20 (ii) Count signatures on a petition circulated
21 by an individual who has been determined not to be a
22 qualified circulator pursuant to W.S. 22-24-312 or by the
23 secretary of state in accordance with rules of his office.

1

2 **22-24-315. Petitions; filing by sponsors.**

3

4 (a) Petitions may be filed with the secretary of
5 state if signed by a sufficient number of qualified
6 registered voters as required by the Wyoming constitution.

7

8 (b) Petitions for an initiative shall be submitted to
9 the secretary of state for verification within the eighteen
10 (18) month period following the date the first set of
11 petition forms are provided to the sponsors. Any petition
12 not submitted within the eighteen (18) month period is void
13 for all purposes.

14

15 **22-24-316. Petitions; review by secretary of state.**

16

17 (a) Within not more than sixty (60) days of the date
18 all petitions are filed, the secretary of state shall
19 review the petitions and shall notify the committee of
20 applicants whether the petitions were properly or
21 improperly filed. The petitions shall be determined to be
22 improperly filed if:

23

1 (i) There is an insufficient total number of
2 signatures of qualified registered voters; or

3

4 (ii) There is an insufficient number of
5 signatures of qualified registered voters in at least
6 two-thirds (2/3) of the counties of the state.

7

8 **22-24-317. Ballot proposition; preparation and**
9 **contents.**

10

11 (a) If a sufficient number of qualified petitions are
12 filed, the secretary of state, with the assistance of the
13 attorney general, shall prepare a ballot proposition. The
14 ballot proposition shall give a true and impartial summary
15 of the proposed law, including the estimated fiscal impact
16 or range of estimated fiscal impact on the state and
17 explanation of the impact prepared in accordance with W.S.
18 22-24-309, and shall make provision for approval and for
19 disapproval thereof.

20

21 (b) When any proposal relating to the investment of
22 the permanent funds of the state of Wyoming is placed on
23 the ballot, the secretary of state shall include in the

1 ballot statement an estimate from the state treasurer of
2 the estimated loss or gain in revenue from the proposal. If
3 the final estimated loss or gain by the state treasurer and
4 the final estimated loss or gain by the committee of
5 sponsors of the ballot proposition differ by more than
6 twenty-five thousand dollars (\$25,000.00), the ballot
7 statement shall contain the range of estimated loss or gain
8 reflecting both estimates.

9

10 **22-24-318. Ballot proposition; procedure for placing**
11 **on ballot; publication requirements.**

12

13 (a) Except as required under subsection (b) of this
14 section, the same procedure for placing constitutional
15 amendment questions on the ballot shall be used to place
16 the initiative ballot proposition on the ballot.

17

18 (b) The ballot proposition for an initiative shall be
19 published by the secretary of state in a newspaper of
20 general circulation in the state in the newspaper edition
21 immediately preceding the general election. Publication
22 under this subsection shall contain the text of the
23 initiative ballot and shall identify both a physical

1 location and a web site address or other electronic
2 location where the entire text of the initiative can be
3 viewed.

4

5 **22-24-319. Ballot proposition; when placed on ballot.**

6

7 (a) The ballot proposition for an initiative shall be
8 placed on the election ballot of the first statewide
9 general election that is held after:

10

11 (i) A sufficient number of qualified petitions
12 were filed;

13

14 (ii) A legislative session has convened and
15 adjourned; and

16

17 (iii) A period of one hundred twenty (120) days
18 has expired since the adjournment of the legislative
19 session. If the attorney general determines that an act of
20 the legislature enacted after the petition is filed is
21 substantially the same as the proposed law, the petition
22 shall be void and the ballot proposition shall not be

1 placed on the election ballot, and the secretary of state
2 shall so notify the committee of applicants.

3

4 **22-24-320. Insufficiency of application or petition.**

5

6 An initiative submitted to the voters shall not be void
7 because of the insufficiency of the application or
8 petitions by which the submission was procured.

9

10 **22-24-321. Action for review of determination.**

11

12 Any person aggrieved by any determination made under this
13 article, by the secretary of state or by the attorney
14 general, may bring an action in the district court of
15 Laramie county to have the determination reviewed by filing
16 application within thirty (30) days of the date on which
17 notice of the determination was given.

18

19 **22-24-322. Penalties.**

20

21 (a) Any person who signs a name other than his own on
22 a petition for initiative, or who knowingly signs his name
23 more than once for the same proposition at one (1)

1 election, upon conviction, shall be fined not more than one
2 thousand dollars (\$1,000.00) or imprisoned for not more
3 than one (1) year, or both.

4
5 (b) Any member of the committee of applicants,
6 sponsor or circulator who knowingly and willfully makes a
7 false verification of the qualifications of a circulator
8 pursuant to W.S. 22-24-306(a) or knowingly and willfully
9 makes a false verification under W.S. 22-24-314, shall be
10 guilty of false swearing and subject to the penalties
11 provided by W.S. 22-26-101.

12
13 **22-24-323. Petitions; payment for signatures;**
14 **misrepresentation of petition; prohibition; penalty.**

15
16 (a) A circulator of an initiative petition or a
17 person who causes the circulation of an initiative petition
18 may not pay or offer to pay any compensation to another
19 person for that person's signature on the initiative
20 petition.

21
22 (b) A circulator of an initiative petition or a
23 person who causes the circulation of an initiative petition

1 shall not collect another person's signature on the
2 petition by knowingly making a false statement with respect
3 to or otherwise misrepresenting the proposed law contained
4 within the initiative petition. A violation of this
5 subsection is subject to the penalty imposed under W.S.
6 22-24-322(a).

7
8 ARTICLE 4

9 REFERENDUM

10
11 **22-24-401. Right of referendum; limitations.**

12
13 The people may approve or reject acts of the legislature by
14 the referendum. However, the referendum shall not be
15 applied to dedications of revenue, to appropriations, to
16 local or special legislation, or to laws necessary for the
17 immediate preservation of the public peace, health or
18 safety.

19
20 **22-24-402. Application; filing and fee.**

21
22 A referendum shall be proposed by filing an application
23 with the secretary of state. A fee of five hundred dollars

1 (\$500.00) shall accompany the application. This fee shall
2 be deposited in the general fund.

3
4 **22-24-403. Application; contents.**

5
6 (a) The application shall be on a form prescribed by
7 the secretary of state and shall include:

8
9 (i) The act to be referred;

10
11 (ii) The designation of a committee of three (3)
12 applicants who shall represent all sponsors and subscribers
13 in matters relating to the referendum;

14
15 (iii) The signatures and addresses of not less
16 than one hundred (100) sponsors who shall be qualified
17 registered voters; and

18
19 (iv) A statement that the committee of
20 applicants are qualified registered voters who signed the
21 application with the proposed act attached.

22
23 **22-24-404. Notice to committee.**

1

2 Notice to the committee of applicants on any matter
3 pertaining to the application and petition shall be served
4 on any member of the committee in person, by mail or
5 electronically addressed to a committee member at the
6 address indicated on the application.

7

8 **22-24-405. Sponsors and circulators.**

9

10 (a) The one hundred (100) qualified registered voters
11 who subscribe to the application are designated as
12 sponsors. The committee of applicants may designate
13 additional qualified individuals to act as circulators of
14 the petitions by giving written notice, signed by one (1)
15 member of the committee of applicants, to the secretary of
16 state verifying under oath the names, qualifications and
17 addresses of those so designated. An individual shall not
18 be qualified to act as a circulator unless he is a citizen
19 of the United States and is at least eighteen (18) years of
20 age. A member of the committee of applicants may act as a
21 circulator if duly qualified.

22

1 (b) The committee of applicants shall file receipt
2 and expenditure reports as required by W.S. 22-25-106.

3
4 **22-24-406. Grounds for denying certification of**
5 **initiative or referendum application.**

6
7 (a) The secretary of state shall deny certification
8 of a referendum application if he determines that:

9
10 (i) The committee of applicants failed to submit
11 a sufficient number of qualified registered voters as
12 sponsors;

13
14 (ii) The application is not substantially in the
15 required form; or

16
17 (iii) More than ninety (90) days have expired
18 since the adjournment of the legislative session at which
19 the act being referred was passed.

20
21 **22-24-407. Petitions; generally.**
22

1 (a) If the application is certified, the secretary of
2 state shall prescribe the form of and prepare petitions
3 containing:

4
5 (i) A copy of the act to be referred;

6
7 (ii) An impartial summary of the subject matter
8 of the act to be referred;

9
10 (iii) The warning required by W.S. 22-24-408;

11
12 (iv) Sufficient space for printed names,
13 signatures and addresses;

14
15 (v) If a circulator will be paid to solicit
16 signatures on a petition, each signature page circulated by
17 that circulator shall contain, in sixteen (16) point or
18 larger red boldface type, the following statement: "This
19 circulator is being paid to solicit signatures for this
20 ballot proposition." The statement shall be prominently
21 displayed and made visible to the petition signer by the
22 circulator; and

23

1 (vi) Other specifications necessary to assure
2 proper handling and control.

3

4 (b) Pursuant to rules adopted by the secretary of
5 state, petitions, for purposes of circulation, shall be
6 prepared by the secretary of state at the sponsor's
7 expense. Petitions shall be printed in a number reasonably
8 calculated to allow full circulation throughout the state.
9 A paid circulator shall solicit signatures on a petition
10 only if each signature page circulated by that circulator
11 contains the statement required under paragraph (a)(v) of
12 this section.

13

14 (c) The secretary of state shall number each petition
15 and shall keep a record of the petitions.

16

17 (d) Upon request of the committee of applicants, the
18 secretary of state shall report the number of persons who
19 voted in the preceding general election.

20

21 (e) The secretary of state, on any printed material
22 circulated by the secretary of state describing the
23 proposition, shall include notice whether any paid

1 circulator was used to gather signatures as required by
2 paragraph (a)(v) of this section.

3

4 **22-24-408. Petitions; statement of warning.**

5

6 Each petition shall include a statement of warning that a
7 person who signs a name other than his own on the petition,
8 or who knowingly signs his name more than once for the same
9 proposition at one (1) election, or who signs the petition
10 knowing that he is not a qualified registered voter, upon
11 conviction, is punishable by a fine of not more than one
12 thousand dollars (\$1,000.00) or by imprisonment for not
13 more than one (1) year, or both.

14

15 **22-24-409. Petitions; circulation; contests.**

16

17 (a) The petitions shall be circulated throughout the
18 state only by a sponsor or an individual designated in
19 accordance with W.S. 22-24-405 as a circulator and only in
20 person.

21

22 (b) Any person may contest the qualifications of an
23 individual designated as a circulator by filing a petition

1 in the district court within ten (10) days of the
2 solicitation activity. The court shall hear and decide any
3 such action within five (5) days from the date the petition
4 is filed.

5

6 (c) Any party prevailing in any action filed pursuant
7 to subsection (b) of this section may be awarded costs and
8 reasonable attorney's fees by the court. The court shall
9 notify the secretary of state of its findings as to the
10 qualifications of a circulator within five (5) days of the
11 determination.

12

13 **22-24-410. Petitions; subscribing to and withdrawing**
14 **name.**

15

16 Any qualified registered voter may subscribe to the
17 petition by signing his name and listing his address. A
18 person who has signed the petition may withdraw his name
19 only by giving written notice of his printed name,
20 residence and contact information to the secretary of state
21 before the time that the petition is filed.

22

23 **22-24-411. Petitions; verification.**

1

2 (a) Before a petition is filed, it shall be verified
3 by the sponsor or circulator who personally circulated it.
4 The verification shall be in affidavit form and shall state
5 in substance that:

6

7 (i) The person signing the affidavit is a
8 sponsor or an individual designated and qualified in
9 accordance with W.S. 22-24-405 and is the only circulator
10 of that petition;

11

12 (ii) The signatures on the petition were made in
13 his presence; and

14

15 (iii) To the best of his knowledge, such
16 signatures are those of the persons whose names they
17 purport to be.

18

19 (b) In determining the sufficiency of the petition,
20 the secretary of state shall not:

21

22 (i) Count signatures on petitions not properly
23 verified;

1

2 (ii) Count signatures on a petition circulated
3 by an individual who has been determined not to be a
4 qualified circulator pursuant to W.S. 22-24-409 or by the
5 secretary of state in accordance with rules of his office.

6

7 **22-24-412. Petitions; filing by sponsors.**

8

9 Petitions may be filed with the secretary of state if
10 signed by a sufficient number of qualified registered
11 voters as required by the Wyoming constitution. Petitions
12 may be filed only within ninety (90) days after the
13 adjournment of the legislative session at which the act was
14 passed.

15

16 **22-24-413. Petitions; review by secretary of state.**

17

18 (a) Within not more than sixty (60) days of the date
19 all petitions are filed, the secretary of state shall
20 review the petitions and shall notify the committee of
21 applicants whether the petitions were properly or
22 improperly filed. The petitions shall be determined to be
23 improperly filed if:

1

2 (i) There is an insufficient total number of
3 signatures of qualified registered voters;

4

5 (ii) There is an insufficient number of
6 signatures of qualified registered voters in at least two-
7 thirds (2/3) of the counties of the state; or

8

9 (iii) The petitions for referendum were not
10 filed within ninety (90) days after the adjournment of the
11 legislative session at which the act was passed.

12

13 **22-24-414. Ballot proposition; preparation and**
14 **contents.**

15

16 If a sufficient number of qualified petitions are filed,
17 the secretary of state, with the assistance of the attorney
18 general, shall prepare a ballot proposition. The ballot
19 proposition shall give a true and impartial summary of the
20 referred act and shall make provision for approval and for
21 disapproval thereof.

22

1 **22-24-415. Ballot proposition; procedure for placing**
2 **on ballot; publication requirements.**

3
4 (a) Except as required under subsection (b) of this
5 section, the same procedure for placing constitutional
6 amendment questions on the ballot shall be used to place
7 the referendum ballot proposition on the ballot.

8
9 (b) The ballot proposition for a referendum shall be
10 published by the secretary of state in a newspaper of
11 general circulation in the state in the newspaper edition
12 immediately preceding the general election. Publication
13 under this subsection shall contain the text of the
14 referendum ballot and shall identify both a physical
15 location and a web site address or other electronic
16 location where the entire text of the referendum can be
17 viewed.

18
19 **22-24-416. Ballot proposition; when placed on ballot.**

20
21 The ballot proposition for a referendum shall be placed on
22 the election ballot of the first statewide general election
23 held more than one hundred eighty (180) days after

1 adjournment of the legislative session at which the act was
2 passed.

3

4 **22-24-417. Insufficiency of application or petition.**

5

6 A referendum submitted to the voters shall not be void
7 because of the insufficiency of the application or
8 petitions by which the submission was procured.

9

10 **22-24-418. Action for review of determination.**

11

12 Any person aggrieved by any determination made under this
13 article, by the secretary of state or by the attorney
14 general, may bring an action in the district court of
15 Laramie county to have the determination reviewed by filing
16 application within thirty (30) days of the date on which
17 notice of the determination was given.

18

19 **22-24-419. Penalties.**

20

21 (a) Any person who signs a name other than his own on
22 a petition for referendum, or who knowingly signs his name
23 more than once for the same proposition at one (1)

1 election, upon conviction, shall be fined not more than one
2 thousand dollars (\$1,000.00) or imprisoned for not more
3 than one (1) year, or both.

4

5 (b) Any member of the committee of applicants,
6 sponsor or circulator who knowingly and willfully makes a
7 false verification of the qualifications of a circulator
8 pursuant to W.S. 22-24-405(a) or knowingly and willfully
9 makes a false verification under W.S. 22-24-411, shall be
10 guilty of false swearing and subject to the penalties
11 provided by W.S. 22-26-101.

12

13 **22-24-420. Petitions; payment for signatures;**
14 **misrepresentation of petition; prohibition; penalty.**

15

16 (a) A circulator of a referendum petition or a person
17 who causes the circulation of a referendum petition may not
18 receive payment for the collection of signatures if that
19 payment is based upon the number of signatures collected.
20 Nothing in this section prohibits a circulator of a
21 referendum petition or a person who causes the circulation
22 of a referendum petition from being paid a salary that is
23 not based upon the number of signatures collected.

1

(b) A circulator of a referendum petition or a person who causes the circulation of a referendum petition may not pay or offer to pay any compensation to another person for that person's signature on the referendum petition.

6

7 (c) A circulator of a referendum petition or a person
8 who causes the circulation of a referendum petition shall
9 not collect another person's signature on the petition by
10 knowingly making a false statement with respect to or
11 otherwise misrepresenting the referred act contained within
12 the referendum petition. A violation of this subsection is
13 subject to the penalty imposed under W.S. 22-24-419(a).

14

15 **Section 2.** W.S. 22-24-101 through 22-24-125 are
16 repealed.

17

18 **Section 3.** This act is effective immediately upon
19 completion of all acts necessary for a bill to become law
20 as provided by Article 4, Section 8 of the Wyoming
21 Constitution.

22

23

(END)