

## HOUSE BILL NO. HB0052

Timeline to prepare and process absentee ballots.

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

A BILL

for

1 AN ACT relating to elections; authorizing the preparation  
2 and processing of absentee ballots before an election;  
3 providing rulemaking authority; providing a felony penalty;  
4 making conforming amendments; and providing for an  
5 effective date.

6

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

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9       **Section 1.** W.S. 22-8-108(c), 22-9-125(b) and by  
10 creating a new subsection (d) and 22-26-101(a) by creating  
11 a new paragraph (xi) are amended to read:

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13       **22-8-108. Appointment, composition and authority of**  
14 **counting boards; when judges to count.**

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1 (c) The counting board in a paper ballot polling  
2 place has no authority to act until polls are declared  
3 closed as provided in W.S. 22-13-117, except as provided in  
4 W.S. 22-9-125(d). A counting board in an electronic voting  
5 system counting center may commence preparing absentee  
6 ballots for counting at any time on ~~the day of the~~ election  
7 day, or before election day as provided in W.S.  
8 22-9-125(d).

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10 **22-9-125. Alternate procedures for collecting and**  
11 **counting absentee ballots.**

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13 (b) In the case of electronic voting systems using  
14 either alternate procedure provided in subsection (a) of  
15 this section, the ballots may be tabulated automatically on  
16 election day and the ballot counts shall be entered at the  
17 designated counting center at the time the polls close on  
18 election day.

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20 (d) Notwithstanding subsection (b) of this section,  
21 the county clerk may choose to prepare and process absentee  
22 ballots the Thursday or Friday immediately preceding  
23 election day, provided:

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2           (i) Any county clerk electing to use this method  
3 of preparing and processing absentee ballots shall first  
4 notify the secretary of state;

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6           (ii) The county clerk shall notify each  
7 political party of the date, time and place that absentee  
8 ballot preparation and processing will occur. The notice  
9 shall include information on in-person observation of the  
10 process, including any procedures regarding the  
11 observation;

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13           (iii) No candidate or candidate's committee  
14 chairperson or treasurer shall be allowed to observe the  
15 preparation and processing of absentee ballots under  
16 paragraph (ii) of this subsection;

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18           (iv) No results of absentee ballots prepared and  
19 processed under this subsection shall be known, printed,  
20 released or provided to any person and the results shall  
21 not be incorporated into the final vote count in any manner  
22 until after the polls close on election day;

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1           (v) No person observing the preparation and  
2 processing or performing the preparation and processing of  
3 absentee ballots under paragraph (ii) of this subsection  
4 shall be allowed to have in their possession any personal  
5 electronic device, except a device for medical necessity,  
6 within ten (10) feet of the area where the preparation and  
7 processing is occurring at any time while preparation and  
8 processing is occurring;

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10           (vi) The secretary of state shall adopt rules  
11 for the preparing and processing of absentee ballots under  
12 this subsection.

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14           **22-26-101. Felony offenses generally.**

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16           (a) The following acts in connection with or related  
17 to the election process or an election, if knowingly and  
18 willfully committed, are felony offenses punishable by not  
19 more than five (5) years' imprisonment in the state  
20 penitentiary or a fine of not more than ten thousand  
21 dollars (\$10,000.00), or both:

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23           (xi) Violating W.S. 22-9-125(d)(iv).

