

HOUSE BILL NO. HB0238

Ballot harvesting prohibition.

Sponsored by: Representative(s) Johnson, Davis, Guggenmos, Haroldson, Knapp, Lucas, Pendergraft, Smith, S, Wasserburger and Webb and Senator(s) Hutchings, Ide, McKeown, Pearson and Steinmetz

A BILL

for

1 AN ACT relating to elections; prohibiting a person from
2 delivering ballots of other electors to the county clerk;
3 providing exceptions; specifying that ballots shall not be
4 tabulated as specified; providing a penalty; and providing
5 for an effective date.

6

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

8

9 **Section 1.** W.S. 22-9-113 and 22-26-101(a) by creating
10 a new paragraph (xii) are amended to read:

11

12 **22-9-113. Completing and return of ballot; ballot**
13 **harvesting prohibited.**

14

1 (a) Upon receipt, a qualified elector shall mark the
2 ballot and sign the affidavit. The ballot shall then be
3 sealed in the inner ballot envelope and mailed or delivered
4 to the clerk subject to subsections (b) and (c) of this
5 section.

6
7 (b) No person shall deliver a ballot to the clerk
8 unless the person is the qualified elector who is casting
9 the ballot, the person is immediate family of the qualified
10 elector or the person is an employee of a residential care
11 facility authorized to deliver a ballot under subsection
12 (c) of this section. This subsection shall not apply to
13 ballots that are mailed to the clerk.

14
15 (c) An employee of a residential care facility,
16 including nursing homes, assisted living facilities, adult
17 family homes and community-based residential facilities may
18 deliver an absentee ballot on behalf of a qualified elector
19 residing in that facility as provided in this subsection.
20 For each absentee ballot delivered on behalf of a qualified
21 elector under this subsection, the employee shall
22 concurrently file an affidavit with the county clerk on a
23 form prescribed by the secretary of state attesting under

1 penalty of perjury that, among other requirements specified
2 by the secretary of state, the employee is authorized to
3 deliver the ballot on behalf of the qualified elector under
4 this subsection. Not later than thirty (30) days following
5 each election, the county clerk shall transmit all
6 affidavits received under this subsection pertaining to
7 that election to the secretary of state.

8
9 (d) If a county clerk, county canvassing board member
10 or other election official becomes aware of a violation of
11 subsections (b) and (c) of this section before ballot
12 tabulation, any ballot that is delivered in violation of
13 subsections (b) and (c) of this section shall not be
14 tabulated. If a ballot is improperly delivered to the
15 county clerk in violation of this section, the county clerk
16 may provide notice to the qualified elector that the
17 qualified elector's ballot has not been tabulated.

18
19 **22-26-101. Felony offenses generally.**

20
21 (a) The following acts in connection with or related
22 to the election process or an election, if knowingly and
23 willfully committed, are felony offenses punishable by not

1 more than five (5) years' imprisonment in the state
2 penitentiary or a fine of not more than ten thousand
3 dollars (\$10,000.00), or both:

4

5 (xii) Violating W.S. 22-9-113(b).

6

7 **Section 2.** This act is effective July 1, 2025.

8

9

(END)