

SENATE FILE NO. SF0046

Elections-notices and resolutions.

Sponsored by: Senator(s) Case and Representative(s)
Zwonitzer

A BILL

for

1 AN ACT relating to elections; amending various time
2 requirements for proclamations and other election notices;
3 authorizing formation of special hospital districts by
4 county commissioner resolution and election as specified;
5 amending the time for special districts candidate
6 application filings; amending content requirements for
7 general election proclamations; and providing for an
8 effective date.

9

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

11

12 **Section 1.** W.S. 22-2-109(b), 22-21-103, 22-21-104,
13 22-29-109(f), 22-29-110(a) and (b) and 35-2-401 by creating
14 a new subsection (e) are amended to read:

15

1 **22-2-109. County clerk to publish proclamation.**

2

3 (b) Between ~~forty-five (45)~~ ninety (90) and
4 ~~thirty-five (35)~~ seventy (70) days before each general
5 election, the county clerk in each county shall publish at
6 least once in a newspaper of general circulation in the
7 county and post in the county clerk's office and at the
8 place where each municipality within the county regularly
9 holds its council meetings a proclamation setting forth the
10 following:

11

12 (i) The date of the election;

13

14 (ii) For any offices not previously included in
15 the proclamation published pursuant to subsection (a) of
16 this section, the offices to be filled at the election
17 including the terms of the offices, ~~and~~ and the number of
18 persons required by law to fill the offices;~~;~~

19

20 (iii) The requirements for filing statements of
21 campaign contributions and expenditures, ~~and~~ not previously
22 included in the proclamation published pursuant to
23 subsection (a) of this section;

1

2 (iv) Any other pertinent general election
3 information; ~~In addition,~~

4

5 (v) The legislative description of each proposed
6 constitutional amendment, or other ballot proposition
7 submitted to the voters of the state, a political
8 subdivision thereof, county or other district. ~~shall be~~
9 ~~included.~~

10

11 **22-21-103. How bond question to be submitted to**
12 **electors; contents.**

13

14 Each bond question shall be submitted to a vote of the
15 qualified electors of the political subdivision. Every bond
16 election shall be held on the same day as a primary
17 election or a general election, or on the Tuesday next
18 following the first Monday in May or November, or on the
19 Tuesday next following the third Monday in August. ~~If~~
20 ~~calling the election in May~~ Not less than one hundred ten
21 (110) days before a bond election, the ~~body~~ political
22 subdivision shall ~~by March 1,~~ provide written notification
23 to the county clerk, specifying the date of the election

1 and the bond question. ~~If the political subdivision~~
2 ~~specifies the date of the election to be a primary or~~
3 ~~general statewide or other August or November election,~~
4 ~~then the political subdivision shall provide notice to the~~
5 ~~county clerk not less than one hundred ten (110) days~~
6 ~~before the election if for a primary or other August~~
7 ~~election, and not less than seventy (70) days before the~~
8 ~~election, if for a general or other November election.~~ The
9 bond question shall state the purpose of the bonds, the
10 maximum principal amount thereof, the maximum number of
11 years allowed for the indebtedness and the maximum rate of
12 interest to be paid thereon. The secretary of state may
13 promulgate reasonable rules for conducting bond elections
14 where the election is not held at the same time as the
15 general or primary election.

16

17 **22-21-104. Publication or posting of election notice;**
18 **contents.**

19

20 Between one hundred one (101) and ninety-one (91) days
21 before a bond election held in conjunction with a primary
22 or other August election and between ninety (90) and
23 seventy (70) days before a bond election held in

1 conjunction with a May, general or other November election,
2 the county clerk shall publish notice of the election at
3 least once in a newspaper of general circulation in the
4 political subdivision. ~~not less than thirty (30) nor more~~
5 ~~than forty (40) days before the election.~~ If there is no
6 newspaper of general circulation in the political
7 subdivision, notice shall be posted at each polling place
8 in the political subdivision ~~not less than thirty (30) nor~~
9 ~~more than forty (40)~~ between ninety (90) and seventy (70)
10 days before the election. Any notice of election hereunder
11 shall specify the name of the political subdivision, the
12 date, time and place of election, the question or questions
13 to be submitted, and the fact that only qualified electors
14 of the political subdivision may vote thereon. If a bond
15 election is being held within a political subdivision at
16 the same time and place as a regular or other election, the
17 notice of bond election may, at the discretion of the
18 county clerk, be combined with and given in the same manner
19 as the notice of the regular or other election in such
20 political subdivision.

21

22 **22-29-109. County commissioners' action on formation**
23 **petition.**

1

2 (f) If the county commissioners approve the petition
3 for formation, as presented or as modified, the county
4 commissioners shall enter an order declaring its approval.
5 The order shall set forth the name of the proposed district
6 and a description of the boundaries. Upon the entering of
7 this order, the commissioners shall direct that the
8 question of formation of the district and the election of
9 the initial directors be submitted to the electors of the
10 proposed district to be held in their respective counties
11 by mail ballot or on the next election date authorized
12 under W.S. 22-21-103 which is at least ~~sixty (60)~~ one
13 hundred ten (110) days after the expiration of the thirty
14 (30) day period described in subsection (e) of this
15 section.

16

17 **22-29-110. County clerk to publish proclamation;**
18 **filing period.**

19

20 (a) ~~Not more than fifty (50) and not less than forty~~
21 ~~(40)~~ Between one hundred one (101) and ninety-one (91)
22 days, before ~~the~~ an organizational election held in
23 conjunction with a primary or other August election and

1 between ninety (90) and seventy (70) days before an
2 organizational election held in conjunction with a May,
3 general or other November election, the county clerk shall
4 publish at least once in a newspaper of general circulation
5 in each county in which all or part of the proposed
6 district is situated a proclamation setting forth the date
7 of the election, what county clerk is the filing officer,
8 the question of formation, what offices are to be filled
9 including the terms of the offices, the filing period for
10 the offices and other pertinent election information. Minor
11 errors in the proclamation shall not invalidate the
12 forthcoming election.

13

14 (b) ~~Not more than thirty-nine (39) and not less than~~
15 ~~thirty (30)~~ Between ninety-six (96) and eighty-one (81)
16 days before ~~the~~ a formation election held in conjunction
17 with a primary or other August election and between ninety
18 (90) and seventy (70) days before a formation election held
19 in conjunction with a May, general or other November
20 election, candidates may file an application for election
21 in the office of the county clerk. The principal act shall
22 determine who is eligible to be a candidate. The
23 application shall be in substantially the following form:

1

2

APPLICATION FOR ELECTION

3

SPECIAL DISTRICT DIRECTOR

4

5 I, the undersigned, swear or affirm that I was born on
6, (year); that I have been a resident of district
7 since, residing at; that I am an elector or
8 landowner (check which one for eligibility) of said
9 district and I do hereby request that my name,, be
10 printed on the ballot of the formation (or other) election
11 to be held on day of, (year) as a candidate for
12 the office of director for a term of years. I hereby
13 declare that if I am elected, I will qualify for the
14 office.

15

16 Dated

17

Signature of Candidate

18

19 **35-2-401. Establishment of hospital district.**

20

21 (e) As an alternative to the procedures specified in
22 subsection (d) of this section, a special hospital district

1 may be established and subsequent elections held through
2 the following procedures:

3
4 (i) The board of county commissioners may, by
5 resolution, submit the question of establishing the special
6 hospital district to the electors of the proposed district
7 at the next general election or another date as provided by
8 W.S. 22-2-104. The board shall provide notice that it will
9 consider the resolution at least thirty (30) days prior to
10 the meeting at which the resolution will be considered.
11 Notice of the election shall be given as required by W.S.
12 22-29-110;

13
14 (ii) If a majority of the voters in the proposed
15 district voting at the election specified in paragraph (i)
16 of this subsection vote for the establishment of the
17 district the board of county commissioners shall enter that
18 fact upon its record and the district is established;

19
20 (iii) Any subsequent election for a special
21 hospital district established under this subsection shall
22 be held as set forth in the Special District Elections Act
23 of 1994.

1

2 **Section 2.** This act is effective immediately upon
3 completion of all acts necessary for a bill to become law
4 as provided by Article 4, Section 8 of the Wyoming
5 Constitution.

6

7

(END)