

SENATE FILE NO. SF0053

Special elections-time limits.

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

A BILL

for

1 AN ACT relating to elections; amending time limits for
2 special election proceedings related to vacancies in the
3 United States house of representatives; establishing a time
4 limit for ballot preparation; and providing for an
5 effective date.

6

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

8

9 **Section 1.** W.S. 22-2-110(a), 22-18-105 through
10 22-18-107 and 22-18-109 are amended to read:

11

12 **22-2-110. Computing periods of time.**

13

14 (a) Except for special elections to fill vacancies
15 for a congressman under W.S. 22-18-105 through 22-18-109,

1 periods of time are computed by excluding the specific day
2 and counting the prescribed number of days, including
3 Saturdays, Sundays and full legal holidays. If the first
4 day of a time period falls on a Saturday, Sunday or full
5 legal holiday, the preceding day which is not a Saturday,
6 Sunday or full legal holiday shall be used. If the last day
7 of a time period falls on a Saturday, Sunday or full legal
8 holiday, the next day which is not a Saturday, Sunday or
9 full legal holiday shall be used. All days, except the
10 specific day, but including the last day, shall be used to
11 compute the time limits established under W.S. 22-18-105
12 through 22-18-109 unless the last day of a time period
13 falls on a Saturday, Sunday or full legal holiday in which
14 case the next day which is not a Saturday, Sunday or full
15 legal holiday shall be used.

16

17 **22-18-105. Filling vacancy of congressman; whether**
18 **filled at general or special election.**

19

20 If the vacancy in the office of representative in congress
21 occurs within six (6) months prior to the next general
22 election, the vacancy shall be filled at the general
23 election. Otherwise the special election shall occur ~~not~~

1 ~~more than fifty-five (55) days~~ on the Tuesday following the
2 eighty-ninth day after the vacancy occurs, unless that
3 Tuesday falls on a full legal holiday in which case the
4 election shall occur on the next Tuesday which is not a
5 full legal holiday. The governor shall declare the vacancy
6 and issue the writ of election within five (5) days after
7 the vacancy occurs.

8
9 **22-18-106. Filling vacancy of congressman;**
10 **nominations by state central committees; independent**
11 **candidates.**

12
13 An elector qualified to hold the office of representative
14 in congress shall be nominated by the state central
15 committee of the respective parties to fill a vacancy for
16 the unexpired term of that office. Nominations from such
17 parties shall be filed with the secretary of state and fees
18 paid within ~~fifteen (15)~~ seven (7) days after the vacancy
19 is officially declared. Independent candidates shall file
20 an application and pay the filing fee with the secretary of
21 state within ~~fifteen (15)~~ seven (7) days after the vacancy
22 is officially declared.

23

1 **22-18-107. Filling vacancy of congressman;**
2 **certification of candidates.**

3
4 Within ~~twenty (20)~~ five (5) days after the ~~vacancy is~~
5 ~~declared~~ end of the candidate filing period, the secretary
6 of state shall certify to the clerks of counties voting to
7 fill the vacancy the name of each candidate qualified to
8 appear on the ballot, and his party affiliation or ~~the name~~
9 ~~of a group or organization sponsoring an independent~~
10 ~~candidate~~ independent status.

11
12 **22-18-109. Conduct of special election; preparation**
13 **of ballot.**

14
15 A special election to fill a vacancy shall be conducted by
16 the county clerk as nearly as possible in the manner of a
17 general election. The county clerk shall have twelve (12)
18 days to prepare the special election ballot after the
19 secretary of state's certification under W.S. 22-18-107.

20 The candidate who receives a plurality of the votes at a
21 special election shall be issued a certificate of election
22 as provided by law.

23

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

5

6

(END)