

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:*

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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)~~ five (5) days after the vacancy is  
19 officially declared. Independent candidates shall file an  
20 application and pay the filing fee with the secretary of  
21 state within ~~fifteen (15)~~ five (5) days after the vacancy  
22 is officially declared.

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.

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)