



INITIATIVE PROCESS INFORMATION

Wyoming Secretary of State's Office

This document summarizes key provisions of the initiative process in Wyoming. Refer to the Wyoming Constitution and statutes for applicable provisions.

Governance

Wyoming Constitution Article 3 Section 52 and W.S. 22-24-101 through 22-24-125

<http://legisweb.state.wy.us/statutes/constitution.aspx?file=titles/97Title97.htm>
<http://legisweb.state.wy.us/statutes/statutes.aspx?file=titles/Title22/T22CH24.htm>

Requirements

The initiative must be in bill form (W.S. 8-1-101 through 8-1-108). The bill must be on legal size paper, attached to the application form. The entire subject of the bill must be included in the title. The enacting clause must read: "Be it enacted by the people of the state of Wyoming". The bill must have an effective date. The application must be filed with the Secretary of State. A fee of \$500 must accompany the application.

Restrictions

The bill may not contain more than one subject. The bill may not dedicate revenues. The bill may not make or repeal appropriations. The bill may not create courts, define the jurisdiction of courts or prescribe their rules. The bill may not enact local or special legislation. The bill may not enact anything that is prohibited by the constitution. The bill may not be substantially the same as that defeated by an initiative election within the previous five years.

Committee

There must be a committee of three people (Committee of Sponsors) who will be the principal contacts for the initiative, who may be served with legal notices and who will be responsible for statutory fees and costs.

Certification for Circulation

The committee of sponsors will submit the application and proposed bill to the Secretary of State for review. No later than 14 days after the date of submission, the Secretary of State will schedule a conference with the committee to discuss the bill's estimated fiscal impact and any problems with its format or contents. The committee has five days to notify the Secretary of State if the proposed bill will be amended. If so, another 14-day review and comment period occurs after the amended proposed bill is submitted. If the proposed bill will not be amended, the committee shall submit the names, signatures, addresses and the date of signing of one hundred (100) qualified electors to act as sponsors supporting the application in its final form to the Secretary of State. Within seven days, if the application meets all constitutional and statutory requirements, the Secretary of State will certify the application as filed. If the application is denied, the Secretary of State will notify the committee in writing of the grounds for denial.

Petitions

The Secretary of State will develop the petition form which is the only form that may be circulated. At the committee's expense, the Secretary of State shall arrange for printing of petitions in sufficient numbers for statewide distribution.

Circulation, Petition Requirements

The committee has 18 months from the date petitions are provided to file them with the Secretary of State. The committee must submit registered voter signatures representing fifteen percent (15%) of those who voted in the preceding general election and fifteen percent (15%) of those resident in at least two-thirds of Wyoming counties. Failure of a petition to qualify as of the filing date voids the future use of all signatures.

Only qualified sponsors/circulators may circulate petitions, and the committee must give written notice to the Secretary of State verifying the circulators' names, qualifications and addresses. Circulators must be U.S. citizens, 'bona fide' residentsⁱ of Wyoming, and at least 18 years old. Circulators do not have to be registered voters. Each sponsor/circulator is required to submit an affidavit upon submission of a petition affirming that signatures were made his presence and that he is a qualified sponsor/circulator.

Circulators may not be paid based upon the number of signatures gathered, nor shall a circulator pay or offer to pay any compensation to another person for that person's signature. Any person who signs a name other than his own, who knowingly signs his name more than once, who signs knowing that he is not a qualified registered voter, or who makes a false affidavit or verification, can, upon conviction, be fined up to \$1000 or imprisoned up to one year, or both.

Certification for the Ballot

Within 60 days after the filing of the petition, the Secretary of State will notify the committee whether or not enough valid signatures have been obtained. If so, the Secretary of State will prepare a ballot proposition and title summarizing the proposed law. The proposition will then be voted on in the first statewide general election held more than 120 days after adjournment of the legislative session. If, before the election, substantially the same measure has been enacted, the petition is void.

Enactment

The initiative is enacted if it receives approval of more than 50% of those voting in the general election. Election results are certified by the State Canvassing Board. An initiated law becomes effective 90 days after certification, is not subject to veto, and may not be repealed by the legislature within two years of its effective date. It may be amended at any time.

ⁱ WS 22-24-104 defines resident as a person who has maintained a residence in Wyoming for a period of at least 90 days prior to circulating a petition.