To: Honorable Senators of the 67th Wyoming Legislature  
From: County Clerks’ Association of Wyoming (CCAW)  
Date: February 23, 2023  
Subject: HB0103 – Political party affiliation declaration and changes.

Honorable Senators,

Although individual County Clerks may have expressed opinions regarding HB0103, the County Clerks’ Association of Wyoming has attempted to navigate the bill as carefully as possible given its intensely political nature. As such, our association’s testimony has focused solely on the administrative impacts of HB0103. Therefore, having consulted with 20 County Clerks today (February 23, 2023), please accept this memorandum as an explanation of how we feel HB0103 affects election administration.

**What is CCAW’s position on HB0103?**  
To be very clear, the County Clerks’ Association of Wyoming (CCAW) has continuously testified that HB0103 could be administered but we have made a concerted effort to state that we have no political position on HB0103. We understand that our admission on administrability can, at times, be construed as a position of support, or opposition, to legislation or amendments. However, we encourage you not to construe our position on administrability as support, or opposition, on this bill or any amendments.

**If passed, will some voters be denied a ballot during the Primary Election?**  
Yes – CCAW has repeatedly testified that if HB0103 were passed, unaffiliated voters or voters affiliated with a minor party who do not affiliate with a major party, prior to the deadline established, will be denied a ballot during the Primary Election if those voters reside in unincorporated areas of the state. Please remember, in most cases it will be our election judges who will have to explain this change to those unaffiliated or minor party voters. This testimony was **not** an attempt to influence a negative outcome for HB0103 but has always been an attempt to inform each committee on the very real scenario that will undoubtedly occur within the state.

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Do we differentiate between “elector” and “qualified elector”? 
Short answer, no. Throughout the election code the words elector and qualified elector seem to be interchangeable. Whether it be the definition of poll list in W.S. §22-1-102(a)(xxiii), or the equation of the two words in W.S. §22-29-104(a)(i), County Clerks have interpreted the two words interchangeably. However, using the two words within the same statutory section would signal to us that the two words should be differentiated. As such, an addition to the definition of qualified elector in W.S. §22-1-102(a)(xxvi) that the words “elector” and “qualified elector” are synonymous is appropriate in this situation.

Would a new registrant be denied from affiliating with a party?
It is the opinion of our association that passage of HB0103, as introduced, would not deny a new registrant. New registrations are still accepted pursuant to W.S. §22-3-102(a) and those registrants would still be permitted to declare an affiliation pursuant to W.S. §22-3-103(a)(vii). However, our association has continuously advocated for clear direction and as such, perhaps clarity that the prohibition on affiliating does not apply to new registrants is in order. Again, our reading of HB0103, as introduced, would not lead us to believe the prohibition on affiliating would extend to new registrants.