



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <https://rules.wyo.gov>

Revised August 2023

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		
Amended Program Name (if applicable):		
* <input type="checkbox"/> By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.		

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

<input type="checkbox"/> No. <input type="checkbox"/> Yes. If the rules are new, please provide the Legislative Chapter Number and Year Enacted:	Chapter:	Year:
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3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. ☐ **No.** ☐ **Yes. Please complete the boxes below.**

Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?

☐ By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

☐ To the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ **No.** ☐ **Yes. Please complete the boxes below.**

Applicable Federal Law or Regulation Citation:	
Indicate one (1):	<input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements. <input type="checkbox"/> The proposed rules exceed minimum federal requirements.
Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:	<input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

☐ The proposed rule change *MEETS* minimum substantive statutory requirements.

☐ The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. ☐ The Agency has completed a takings assessment as required by W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

☐ By contacting the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

☐ These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

☐ The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

(Provide chapter numbers)

☐ These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

(Provide chapter numbers)

b. Checklist

☐ The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

☐ If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual

Title of Authorized Individual

Date of Authorization



Wyoming Secretary of State

Chuck Gray
Secretary of State

Jesse Naiman
Deputy Secretary of State

Statement of Principal Reasons

The Secretary of State is promulgating rules amending Chapter 2 of the Secretary of State's Election Procedures concerning Identification for Voter Registration for the following reasons:

On March 21, 2025, 2025 House Enrolled Act No. 57 (hereinafter the "Act") became law without the Governor's signature. Section 1 of the Act amends Wyoming's voter registration process to require individuals registering to vote to provide "proof of residence as defined in W.S. 22-1-102(a)(lv)." Section 1 of the Act also creates a new subsection W.S. 22-1-102(a)(lv) defining "proof of residence" to mean "the documents or other proof of residence specified by rule of the secretary of state, which rule identifies documents or other proof that establishes residency." Section 1 further creates a new subsection W.S. 22-1-102(a)(lvi) by defining "proof of United States citizenship" as specified, and amends Wyoming law to require that a qualified elector be a bona fide resident of Wyoming for not less than thirty (30) days before the date of the election at which he offers to vote. Section 2 of the Act provides that the Secretary of State shall promulgate all rules necessary to implement the Act.

The proposed rules amend Chapter 2 of the Secretary of State's rules governing election procedures to provide uniform rules whereby persons registering to vote must prove Wyoming residence. Specifically, the proposed rules amend Chapter 2, Section 5 to provide further clarity and uniformity for purposes of a voter's identity and residency, and Chapter 2, Section 6 to provide further clarity and uniformity for proof of residency for purposes of voter registration. The rules amend Chapter 2, Section 7, to clarify the statutory requirements for proof of United States citizenship to register to vote, as contemplated by the Act's creation of W.S. 22-1-102(a)(lvi). Finally, the rules create a new Chapter 2, Section 8, specifying uniformity and clarity concerning documents allowed as acceptable documentation for durational residency upon a challenge.

Accordingly, the Secretary of State finds that promulgation of these rules will create uniform procedures to implement the Act, and clarify existing rules consistent with the Act.

Chapter 2

Proof of Identification, Proof of Residence, and Proof of Citizenship for Voter Registration

Section 1. Authority. These rules are authorized by W.S. 22-1-102(a)(xxxix)(A), 22-1-102(a)(lv), and 22-2-121(b) and (d).

Section 2. Voter Registration Application and Oath Form.

(a) The County Clerks shall use the statewide voter registration application form prescribed by the Secretary of State made accessible electronically on the Secretary of State's Office website.

(b) An absent uniformed service or an overseas citizen voter may register by mail or email annually using the Federal Postcard Application in accordance with federal and state law and as prescribed in Chapter 3, Uniformed and Overseas Citizens' Absentee Voting.

Section 3. Verification of Voter Information. The County Clerk shall verify the voter information using the statewide voter registration system.

(a) For persons registering to vote at the polls, they shall be considered registered. If after the election, the voter's information cannot be verified in the statewide voter registration system, their registration shall be pended and investigated by the County Clerk.

(b) If the individual is registering on any day other than election day, they shall be registered if the required information is found to be valid.

Section 4. Documents for Voter Registration. The required documentation for registering to vote in accordance with W.S. 22-3-103 are:

(a) Voter Registration Application Form as prescribed by the Secretary of State;

(b) Acceptable Identification for proof of identity in accordance with Sections 5 and 6 of this chapter;

(c) Proof of Wyoming residence in accordance with Sections 5 and 6 of this chapter or, if a person does not have the documents or other proof of residency specified therein, a signed attestation to establish proof of residence on a form prescribed by the Secretary of State as authorized by W.S. 22-2-121 and in accordance with W.S. 22-1-102(a)(lv); and

(d) Proof of United States citizenship as defined by W.S. 22-1-102(a)(lvi).

Section 5. Definition of “Acceptable Identification” and “Proof of Residence” for Purposes of Voter Registration.

(a) Any one of the following forms of acceptable identification shall accompany the Voter Registration Application Form and shall meet the registration requirements of federal and state law without providing any other form of identification or proof of Wyoming residence, provided that, to establish proof of Wyoming residence, the identification lists a Wyoming address. For purposes of providing proof of Wyoming residence under this Chapter, a Wyoming address includes a Post Office box located in the State of Wyoming, provided the individual registering is still required to list their Wyoming residential address as required on the voter registration application form. If the provided documentation does not list a Wyoming address, the voter shall also supply documentation from Sections 5(b), 5(c), or 6 of this chapter to establish proof of Wyoming residence:

- (i) A current, valid Wyoming driver’s license;
- (ii) A current, valid Wyoming digital driver’s license as defined in W.S. 31-7-102(a)(xlix); or
- (iii) A tribal identification card issued by the governing body of the Eastern Shoshone tribe of Wyoming, the Northern Arapaho tribe of Wyoming or other federally recognized Indian tribe that contains the applicant’s Wyoming driver’s license number and/or the last four (4) digits of the applicant’s social security number (SSN).

(b) If the applicant does not have the forms of identification, as listed in Section 5(a) of this chapter present at the time of registration, they shall provide on the Voter Registration Application Form their Wyoming driver’s license number and any one of the documents listed below. If the applicant does not have a valid Wyoming driver’s license, the applicant shall provide on the Voter Registration Application Form the last four numbers of their SSN and any one of the documents listed below. If the applicant does not have a valid Wyoming driver’s license or a SSN, the voter shall check the box on the Voter Registration Application Form indicating the same, and provide any one of the following forms of identification. If any of these documents lists a Wyoming address, said documentation shall also constitute proof of Wyoming residence:

- (i) Valid United States Passport;
- (ii) Driver’s license or Identification Card issued by the Federal Government, any State, or Outlying Possession of the United States;
- (iii) Photo identification card issued by the University of Wyoming, a Wyoming Community College, or a Wyoming public school;
- (iv) United States military card;

(v) Identification card issued to a dependent of a member of the United States Armed Forces; or

(vi) A tribal identification card issued by the governing body of the Eastern Shoshone tribe of Wyoming, the Northern Arapaho tribe of Wyoming or other federally recognized Indian tribe.

(c) If the applicant does not have the forms of identification, as listed in Section 5(a) or 5(b) of this chapter present at the time of registration, they shall provide on the Voter Registration Application Form their Wyoming driver's license number and any two of the documents listed below. If the applicant does not have a valid Wyoming driver's license, the applicant shall provide on the Voter Registration Application Form the last four numbers of their SSN and any two of the documents listed below. If the applicant does not have a valid Wyoming driver's license or a SSN, the voter shall check the box on the Voter Registration Application Form indicating the same, and provide any two of the following forms of identification. If any of these documents lists a Wyoming address, said documentation shall also constitute proof of Wyoming residence:

(i) Certificate of United States Citizenship;

(ii) Certificate of Naturalization;

(iii) United States Military Draft Record or Selective Service Card or Record;

(iv) Voter Registration Card from another State or County;

(v) United States Social Security Card;

(vi) Certificate of Birth Abroad issued by the Department of State;

(vii) Original or certified copy of birth certificate bearing an official seal;~~or~~

(viii) Any other form of identification issued by an official agency of the United States or a State;

(ix) Void Wyoming driver's license or identification card issued by the State of Wyoming; or

(x) Temporary driver's license or identification card issued by the State of Wyoming.

Section 6. Additional documents for “Proof of Residence.”

(a) In the event of a challenge, the following documents showing the individual’s name and address are acceptable proof of identification and Wyoming residence. If a registrant’s identification in Section 5 does not contain a Wyoming address, then the following documents showing the individual’s name and a Wyoming address are acceptable identification for proof of Wyoming residence:

(i) The following items must be current and be dated within ninety (90) days from the date of registration:

(A) Utility bill;

(B) Bank statement;

(C) Government check or pay stub;

(D) Paycheck or pay stub;

(E) Mortgage statement;

(F) Housing verification form provided by the University of Wyoming, a Wyoming Community College, or a Wyoming public school; or

(G) Any other government document showing their name and address.

(ii) The following items must be dated within one year from the date of registration:

(A) Residential lease;

(B) Contract or intake document from a residential care facility, such as a nursing home, assisted living facility, adult family home, or community-based residential facility;

(C) Property tax bill or receipt;

(D) Wyoming hunting or fishing license;

(E) Wyoming vehicle registration; or

(F) Communication on letterhead from a public or private social service agency verifying the applicant is homeless and attesting to the applicant’s residence for registration purposes.

Section 7. United States Citizenship Documentation. For purposes of providing proof of United States citizenship for purposes of voter registration, any of the documents specified in W.S. 22-1-102(a)(lvi) shall constitute proof of citizenship. As outlined in W.S. 22-1-102(a)(lvi)(A), a valid Wyoming driver's license as defined by W.S. 31-7-102(a)(xxv) or a valid Wyoming identification card issued under W.S. 31-8-101 shall constitute acceptable proof of citizenship provided it does not contain any indication that the person is not a United States citizen, including but not limited to any indication stating "Not U.S. citizen" as provided by W.S. 31-7-115 or W.S. 31-8-102.

Section 8. Durational Residency Documentation. In the event of a challenge, any of the following documents specified as proof of Wyoming residence under Chapters 5 and 6 may be used to establish durational residency as required by W.S. 22-1-102(a)(xxvi) provided the documentation establishes the individual has been a bona fide resident of Wyoming for not less than thirty (30) days before the date of the election at which he offers to vote, if necessary.

Chapter 2

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(b) An absent uniformed service or an overseas citizen voter may register by mail or email annually using the Federal Postcard Application in accordance with federal and state law and as prescribed in Chapter 3, Uniformed and Overseas Citizens' Absentee Voting.

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(a) For persons registering to vote at the polls, they shall be considered registered. If after the election, the voter's information cannot be verified in the statewide voter registration system, their registration shall be pended and investigated by the County Clerk.

(b) If the individual is registering on any day other than election day, they shall be registered if the required information is found to be valid.

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(a) Voter Registration Application Form as prescribed by the Secretary of State;~~and~~

(b) Acceptable Identification for proof of identity in accordance with Sections 5 and 6 of this chapter;

(c) Proof of Wyoming residence in accordance with Sections 5 and 6 of this chapter or, if a person does not have the documents or other proof of residency specified therein, a signed attestation to establish proof of residence on a form prescribed by the Secretary of State as authorized by W.S. 22-2-121 and in accordance with W.S. 22-1-102(a)(lv); and

(d) Proof of United States citizenship as defined by W.S. 22-1-102(a)(lvi).

Section 5. Definition of “Acceptable Identification” and “Proof of Residence” for Purposes of Voter Registration.

(a) Any one of the following forms of acceptable identification shall accompany the Voter Registration Application Form and shall meet the registration requirements of federal and state law without providing any other form of identification or proof of Wyoming residence, provided that, to establish proof of Wyoming residence, the identification lists a Wyoming address. For purposes of providing proof of Wyoming residence under this Chapter, a Wyoming address includes a Post Office box located in the State of Wyoming, provided the individual registering is still required to list their Wyoming residential address as required on the voter registration application form. If the provided documentation does not list a Wyoming address, the voter shall also supply documentation from Sections 5(b), 5(c), or 6 of this chapter to establish proof of Wyoming residence:

- (i) A current, valid Wyoming driver’s license;
- (ii) A current, valid Wyoming digital driver’s license as defined in W.S. 31-7-102(a)(xlix); or
- (iii) A tribal identification card issued by the governing body of the Eastern Shoshone tribe of Wyoming, the Northern Arapaho tribe of Wyoming or other federally recognized Indian tribe that contains the applicant’s Wyoming driver’s license number and/or the last four (4) digits of the applicant’s social security number (SSN).

(b) If the applicant does not have the forms of identification, as listed in Section 5(a) of this chapter present at the time of registration, they shall provide on the Voter Registration Application Form their Wyoming driver’s license number and any one of the documents listed below. If the applicant does not have a valid Wyoming driver’s license, the applicant shall provide on the Voter Registration Application Form the last four numbers of their SSN and any one of the documents listed below. If the applicant does not have a valid Wyoming driver’s license or a SSN, the voter shall check the box on the Voter Registration Application Form indicating the same, and provide any one of the following forms of identification. If any of these documents lists a Wyoming address, said documentation shall also constitute proof of Wyoming residence:

- (i) Valid United States Passport;
- (ii) Driver’s license or Identification Card issued by the Federal Government, any State, or Outlying Possession of the United States;
- ~~(iii) Identification card issued by the Federal Government, any State or Local Government, or an Agency thereof;~~
- ~~iv~~(iii) Photo identification card issued by the University of Wyoming, a Wyoming Community College, or a Wyoming public school;

~~iv~~(iv) United States military card;

~~vi~~(v) Identification card issued to a dependent of a member of the United States Armed Forces; or

~~vii~~(vi) A tribal identification card issued by the governing body of the Eastern Shoshone tribe of Wyoming, the Northern Arapaho tribe of Wyoming or other federally recognized Indian tribe; ~~or~~

~~(viii)~~—Any two or more of the following documents:

(c) If the applicant does not have the forms of identification, as listed in Section 5(a) or 5(b) of this chapter present at the time of registration, they shall provide on the Voter Registration Application Form their Wyoming driver's license number and any two of the documents listed below. If the applicant does not have a valid Wyoming driver's license, the applicant shall provide on the Voter Registration Application Form the last four numbers of their SSN and any two of the documents listed below. If the applicant does not have a valid Wyoming driver's license or a SSN, the voter shall check the box on the Voter Registration Application Form indicating the same, and provide any two of the following forms of identification. If any of these documents lists a Wyoming address, said documentation shall also constitute proof of Wyoming residence:

~~(A)~~(i) Certificate of United States Citizenship;

~~(B)~~(ii) Certificate of Naturalization;

~~(C)~~(iii) United States Military Draft Record or Selective Service Card or Record;

~~(D)~~(iv) Voter Registration Card from another State or County;

~~(E)~~(v) United States Social Security Card;

~~(F)~~(vi) Certificate of Birth Abroad issued by the Department of State;

~~(G)~~(vii) Original or certified copy of birth certificate bearing an official seal; ~~or~~

~~(H)~~(viii) Any other form of identification issued by an official agency of the United States or a State;

(ix) Void Wyoming driver's license or identification card issued by the State of Wyoming; or

(x) Temporary driver's license or identification card issued by the State of Wyoming.

Section 6. ~~Wyoming Residency Documentation.~~ Additional documents for "Proof of Residence."

(a) In the event of a challenge, the following documents showing the individual's name and address are acceptable proof of identification and Wyoming residency. If a registrant's identification in Section 5 does not contain a Wyoming address, then the following documents showing the individual's name and a Wyoming address are acceptable identification for proof of Wyoming residence:

(i) The following items must be current and be dated within ~~forty-five (45)~~ ninety (90) days from the date of registration:

(A) Utility bill;

(B) Bank statement;

(C) Government check or pay ~~advice~~ stub;

(D) Paycheck or pay ~~advice~~ stub;

(E) Mortgage statement;

(F) Housing verification form provided by the University of Wyoming, a Wyoming Community College, or a Wyoming public school; or

(G) Any other government document showing their name and address.

(ii) The following items must be dated within one year from the date of registration:

(A) Residential lease;

(B) ~~Residential care facility contract or intake document~~ Contract or intake document from a residential care facility, such as a nursing home, assisted living facility, adult family home, or community-based residential facility; or

(C) Property tax bill or receipt;

(D) Wyoming hunting or fishing license;

(E) Wyoming vehicle registration; or

(F) Communication on letterhead from a public or private social service agency verifying the applicant is homeless and attesting to the applicant's residence for registration purposes.

Section 7. United States Citizenship Documentation. For purposes of providing proof of United States citizenship for purposes of voter registration, any of the documents specified in W.S. 22-1-102(a)(lvi) shall constitute proof of citizenship. As outlined in W.S. 22-1-102(a)(lvi)(A), a valid Wyoming driver's license as defined by W.S. 31-7-102(a)(xxv) or a valid Wyoming identification card issued under W.S. 31-8-101 shall constitute acceptable proof of citizenship provided it does not contain any indication that the person is not a United States citizen, including but not limited to any indication stating "Not U.S. citizen" as provided by W.S. 31-7-115 or W.S. 31-8-102. Any one of the following documents shall constitute evidence of the individual's citizenship, if necessary:

- (a) United States Passport;
- (b) Certificate of United States Citizenship;
- (c) Certificate of Naturalization;
- ~~(d) United States Military Draft Record or Selective Service Registration Acknowledgement card;~~
- ~~(e)(d) Certificate of Birth Abroad issued by the Department of State; or~~
- ~~(f)(e) Original or certified copy of birth certificate bearing an official seal.~~

Section 8. Durational Residency Documentation. In the event of a challenge, any of the following documents specified as proof of Wyoming residence under Chapters 5 and 6 may be used to establish durational residency as required by W.S. 22-1-102(a)(xxvi) provided the documentation establishes the individual has been a bona fide resident of Wyoming for not less than thirty (30) days before the date of the election at which he offers to vote, if necessary.