

# The Wyoming Constitution



# The Wyoming Constitution & Statehood

- Wyoming Territory was incorporated in 1868.
- Wyoming entered the United States in 1890 (44th State).
- Before Wyoming entered the Union, the WY State Constitution was drafted at the state's constitutional convention in September of 1889.
- The convention was held in Cheyenne (King et. al., 2020).

# Where Can I Find Wyoming's Constitution?

You can access a PDF of the Constitution online  
(on the Wyoming Secretary of State's website):

[Constitution of the State of Wyoming](#)

What information can we find in  
the Wyoming Constitution?



# WY Constitution

- Wyoming's Constitution recognizes individual rights and group rights, some of which were omitted from the U.S. Constitution
- **Fun fact:** The Wyoming Constitution is about ***six times as long*** as the U.S. Constitution (King et. al., 2020).

# WY Constitution

- Like all other state constitutions, the Wyoming Constitution is legally inferior to the U.S. Constitution.
- The **Supremacy Clause of the U.S. Constitution** contends that federal laws will always be legally superior to state laws (U.S. Const. VI § 2).

What makes Wyoming's Constitution  
unique?



# Political Equality

- "All members of the human race are equal"  
(Wyoming Const. art. 1 § 2).
  - William Jefferson Hardin and the fight for interracial marriage
  - Rock Spring Massacre (1885)
- Women's suffrage was secured in the Wyoming constitution (Wyoming Const. art. VI § 1).

# Women's Suffrage

- Many White suffragists and Wyoming Territorial Legislator William Bright opposed suffrage for Black men, Asian American men, and men of color ([Hudson, 2022](#)).
- Wyoming Women's Suffrage Act (1869)

CHAP. 30.] LUNATICS AND DRUNKARDS. 371  
person, if there be any of sufficient ability to pay the same.  
SEC. 45. This act shall take effect and be in force from  
and after its passage.  
Approved, December 9th, 1869.

## FEMALE SUFFRAGE.

### CHAPTER 31.

AN ACT TO GRANT TO THE WOMEN OF WYOMING TERRITORY THE RIGHT OF  
SUFFRAGE, AND TO HOLD OFFICE.

*Be it enacted by the Council and House of Representatives  
of the Territory of Wyoming:*

SEC. 1. That every woman of the age of twenty-one <sup>Women's</sup> years, residing in this territory, may, at every election to be <sup>rights.</sup> holden under the laws thereof, cast her vote. And her rights to the elective franchise and to hold office shall be the same under the election laws of the territory, as those of electors.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved, December 10th 1869.

## COUNCIL AND REPRESENTATIVE DISTRICTS.

### CHAPTER 32.

AN ACT APPORTIONING THE TERRITORY OF WYOMING INTO COUNCIL AND  
REPRESENTATIVE DISTRICTS, AND FOR OTHER PURPOSES.

*Be it enacted by the Council and House of Representatives  
of the Territory of Wyoming:*

SEC. 1. That hereafter the council of the territory of Wyoming shall consist of nine members, and the house of <sup>Number in</sup> representatives of thirteen members. <sup>legislature.</sup>

SEC. 2. The members of the council and house of

Justice Kingman recorded his memory of the 1870 election in Cheyenne:

*"I remember a case in point, which, at the time, caused me much uneasiness. We had, at first, a large proportion of Southern men and of Northern Copperheads. By that I mean men who advocated secession, and came to Wyoming to escape being drafted. Carriages were employed by the candidates to bring ladies to the polls. At the hotel were a number of colored girls employed as servants. After a while a carriage drove up with four of these colored girls in it. They were helped out, and as they went up to the polls the crowd quietly parted; they voted and returned to the carriage without a word said. Then I breathed freely; I knew that all was safe..."* (Kingman, 1876)



Nancy Phillips, one of the first Black Women Voters in Cheyenne after statehood (1890)

## Notable “Firsts” in Wyoming

- **Louisa Swain** was the first woman to vote in the 1870 election. She cast her ballot in Laramie, WY.
- **Esther Hobart Morris** was the first woman in the U.S. who held public office. She was appointed Justice of the Peace of South Pass City, WY in 1870.
- **Nellie Tayloe Ross** was the first woman to serve as a Governor in the U.S. (1925-1927). She was also the first female Director of the U.S. Mint.

## Part-Time Legislature with Limited Meeting Days

- The Wyoming Legislature meets in a **General Session** in odd numbered years, beginning on the second Tuesday of January.
- The Wyoming Constitution limits the General Session to 40 legislative days.
- In even numbered years, the Legislature convenes in a **Budget Session** beginning on the second Monday of February, which lasts 20 legislative days (Wyoming Const. 3§ 2).

# Right to Bear Arms

- The right to bear arms is more clearly enumerated in the Wyoming Constitution than in the U.S. Constitution.
- The Wyoming Constitution states that citizens have "the right to bear arms in defense of themselves or the state" (Wyoming Const. art. 1 § 24).
  - Less vague and ambiguous than Amendment II to the U.S. Constitution, which has prompted much debate.

# Geography and Politics

- Southeastern area of the State of Wyoming was the most heavily populated during the 19th century.
- Constitutional convention delegates from the western and northern counties made sure that the state's constitution would include a provision that requires each county, regardless of population size, to retain **at least one seat in each house** in the state legislature (King et. al., 2020).

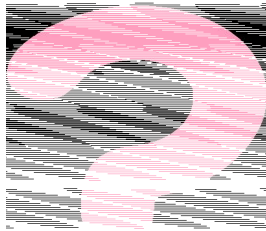
# Influence of the Railroad Industry

- The Wyoming Constitution includes many protections designed to keep workers safe, such as:
  - securing the state government's authority to enact safety requirements for mines (Wyoming Const. article 9 § 1)
  - the right to bring wrongful death lawsuits against private entities (Wyoming Const. article 9 § 4)

# Religion and Government

- **No discrimination on the basis of religion** (Wyoming Const. art. 1 § 18).
- **No public funds can be used to support religious organizations** (Wyoming Const. art. 1 § 19).
- **Religious instruction is not allowed to occur in public schools in the state** (Wyoming Const. art. 7 § 12).

How do we make changes to the  
Wyoming Constitution?



# How to amend the Wyoming Constitution

- **Step 1:** Amendment is proposed in either the Wyoming House or the Wyoming Senate
- **Step 2:**  $\frac{2}{3}$  of the members in each house must agree to the amendment (vote)
- **Step 3:** The legislature publishes the proposed amendment
- **Step 4:** A majority of voters in the next general election approve the amendment

# How to amend the Wyoming Constitution

- **Step 1**: A constitutional convention can be held if the majority of voters agree that there should be a constitutional convention
- **Step 2**: At the convention, amendments are discussed
- **Step 3**: Any changes proposed by the convention must be approved by the majority of voters in the next general election

## Brainstorming:

- What do you think of these methods for changing the Wyoming Constitution?
- Would you want to revise these processes or keep them the same?

# Citizen Initiative & Referendum

- **Initiative:** "any attempt by citizens to write new laws through the petition process" (King et. al., 2020).
- **Referendum:** citizens' efforts to revise or overturn "an enactment of the state legislature" (King et. al., 2020).

## Brainstorming:

What are some strengths and weaknesses of the initiative process?



# What is happening next?

- Primary election is **August 18, 2026**
  - If you are already a registered voter and you want to change your party affiliation before the primary, then you must change your party affiliation by **May 13, 2026**
- General election is **November 3, 2026**
- If you have never registered to vote, then you can register up until - **and on** - election day!

# Where can I find reliable information?

- *WyoFile*: <https://wyofile.com/>
- Wyoming PBS Capitol Outlook:  
<https://video.wyomingpbs.org/show/wyoming-capitol-outlook/>
- State of the State and State of the Judiciary (2026):  
<https://www.youtube.com/watch?v=o3zskyBxF5I>
- Follow the legislative sessions and committee meetings live or watch past meetings: <https://www.youtube.com/wyominglegislature>