

ORIGINAL SENATE
FILE NO. 0024

ENROLLED ACT NO. 32, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2012 BUDGET SESSION

AN ACT relating to civil procedure; amending property amounts exempt from execution and attachment as specified; amending property that is exempt from execution as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 1-20-101, 1-20-104, 1-20-105, 1-20-106(a)(iii), (iv) and (b) and 1-20-110(a)(iii) are amended to read:

1-20-101. Homestead exemption; right and amount.

Every resident of the state is entitled to a homestead not exceeding ~~ten thousand dollars (\$10,000.00)~~ twenty thousand dollars (\$20,000.00) in value, exempt from execution and attachment arising from any debt, contract or civil obligation entered into or incurred.

1-20-104. Homestead exemption; composition.

The homestead may consist of a house ~~and on a lot or lots in any town or city, or a farm consisting or other lands~~ of any number of acres, or a house trailer or other movable home on a lot or lots, whether or not the house trailer or other movable home is equipped with wheels or resting upon immovable support, ~~the value of which does not exceed six thousand dollars (\$6,000.00).~~

1-20-105. Wearing apparel.

The necessary wearing apparel of every person not exceeding ~~one thousand dollars (\$1,000.00)~~ two thousand dollars (\$2,000.00) in value, determined in the manner provided in W.S. 1-20-106 is exempt from levy or sale upon execution, writ of attachment or any process issuing out of any court

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in this state. Necessary wearing apparel shall not include jewelry of any type other than wedding rings.

1-20-106. Exemption of other personal property; personalty used in livelihood; appraisalment.

(a) The following property, when owned by any person, is exempt from levy or sale upon execution, writ of attachment or any process issuing out of any court in this state and shall continue to be exempt while the person or the family of the person is moving from one (1) place of residence to another in this state:

(iii) Furniture, bedding, provisions and other household articles of any kind or character as the debtor may select, not exceeding in all the value of ~~two thousand dollars (\$2,000.00)~~ four thousand dollars (\$4,000.00). When two (2) or more persons occupy the same residence, each shall be entitled to a separate exemption;

(iv) The value in a motor vehicle not exceeding ~~in value two thousand four hundred dollars (\$2,400.00)~~ five thousand dollars (\$5,000.00).

(b) The tools, team, implements or stock in trade of any person, used and kept for the purpose of carrying on his trade or business, not exceeding in value ~~two thousand dollars (\$2,000.00)~~ four thousand dollars (\$4,000.00), or the library, instruments and implements of any professional person, not exceeding in value ~~two thousand dollars (\$2,000.00)~~ four thousand dollars (\$4,000.00), are exempt from levy or sale upon execution, writ of attachment or any process out of any court in this state.

1-20-110. Exemption for retirement funds and accounts.

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(a) The following are exempt from execution, attachment, garnishment or any other process issued by any court:

(iii) Any retirement or annuity fund of any person, including individual retirement accounts (IRAs) Roth individual retirement accounts (Roth IRAs) and simplified employee pension individual retirement accounts (SEP IRAs), to the extent payments are made to the fund while solvent, provided the earnings on the fund are protected from federal income tax or subject to deferral of federal income tax, or are not subject to federal income tax upon withdrawal, and the appreciation thereon, the income therefrom and the benefits or annuity payable thereunder; and

Section 2. This act is effective July 1, 2012.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk