

ORIGINAL SENATE
FILE NO. SF0110

ENROLLED ACT NO. 30, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to small claims procedures; amending procedures governing service of summons; authorizing actions to be brought in the county where the cause of action or some part thereof arose; specifying applicability; and providing for an effective date.

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

Section 1. W.S. 1-5-104 by creating a new subsection (b), 1-21-203 and 1-21-204 are amended to read:

1-5-104. Actions to be brought where cause of action arose.

(b) Actions for small claims proceedings under W.S. 1-21-201 through 1-21-205 may be brought in the county where the cause of action or some part thereof arose.

1-21-203. Affidavit of claim; service of summons; venue jurisdiction.

(a) The claimant shall prepare the affidavit as set forth. When the affidavit is executed by the claimant the court shall file the same and have summons served on the defendant ~~at any location in the county~~ in the manner provided by law or, if the defendant resides in the ~~county~~ **state**, service may be made by the court by certified mail addressed to the defendant at his address within the ~~county~~ **state** with return receipt requested. Upon receipt by the circuit judge of the return receipt signed by the defendant or his agent, service is complete.

(b) Venue provisions in W.S. 1-5-104(b) and 1-5-105 through 1-5-109 apply to actions commenced under this article.

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1-21-204. Time for appearance.

The date of appearance of the defendant as provided in the summons shall be not more than ~~twelve (12)~~ twenty (20) days nor less than ~~three (3)~~ twelve (12) days from the date of service of the summons. When the circuit judge has fixed the date for the appearance of the defendant he shall inform the plaintiff of the date and at the same time order the plaintiff to appear with such books, papers and witnesses as necessary to prove his claim.

Section 2. This act shall only apply to small claims actions initially brought on or after the effective date of this act.

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Section 3. This act is effective July 1, 2021.

(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