

## HOUSE BILL NO. HB0123

Adverse possession-property tax payment defense.

Sponsored by: Representative(s) Neiman, Allemand, Andrew, Banks, Bratten, Clouston, Haroldson, Heiner and Wharff and Senator(s) Biteman, Boner, Hutchings and Steinmetz

A BILL

for

1 AN ACT relating to civil procedure; specifying that the  
2 time period for a cause of action for adverse possession  
3 does not run during periods when the property owner has  
4 paid all property taxes; specifying the process for the  
5 payment of legal fees in a claim for adverse possession;  
6 specifying applicability; and providing for an effective  
7 date.

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

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11 **Section 1.** W.S. 1-3-103 is amended to read:

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13 **1-3-103. Recovery of real property; generally.**

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1       (a) An action for the recovery of the title or  
2 possession of lands, tenements or hereditaments can only be  
3 brought within ten (10) years after the cause of such  
4 action accrues.

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6       (b) The time period of adverse possession necessary  
7 to establish a claim for adverse possession shall not run  
8 at any time that the person against whom the claim would be  
9 brought has paid all taxes and assessments against the  
10 lands, tenements or hereditaments that are consistent with  
11 the recorded title and that would be the subject of the  
12 adverse possession claim.

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14       (c) If the defendant to a claim for adverse  
15 possession provides proof of proper title for lands,  
16 tenements or hereditaments and the plaintiff to the claim  
17 continues with the claim for adverse possession, the  
18 plaintiff shall pay all costs and attorney fees associated  
19 with the action if the plaintiff loses the claim.

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21       **Section 2.** This act shall apply to any civil action  
22 for adverse possession accruing on and after July 1, 2025.

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