

ENROLLED ACT NO. 20, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2025 GENERAL SESSION

AN ACT relating to civil procedure; authorizing property owners to request law enforcement assistance for the removal of unauthorized occupants as specified; specifying requirements for the law enforcement assistance; specifying liability; providing civil remedies; prohibiting unlawful use of false property documents; amending the offense of property destruction and defacement by creating an additional felony offense; providing definitions; specifying penalties; and providing for an effective date.

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

**Section 1.** W.S. 1-21-1401 through 1-21-1403 and 6-5-309 are created to read:

ARTICLE 14  
REMOVAL OF UNAUTHORIZED OCCUPANTS

**1-21-1401. Definitions.**

(a) As used in this article:

(i) "Immediate family member" means a spouse, child or parent;

(ii) "Law enforcement" means the sheriff, the sheriff's deputies or peace officers of a city or town;

(iii) "Owner" means the owner of a residential dwelling;

(iv) "Residential dwelling" means a dwelling or property, real or otherwise, that serves as a place of residence or other facilities held out for the occupancy of

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a person. "Residential dwelling" includes real property where a dwelling or other residential facility is located;

(v) "Unauthorized person" means a person who is not authorized to maintain presence or residency in a residential dwelling.

**1-21-1402. Limited alternative remedy for removal of unauthorized persons from residential property.**

(a) An owner or the owner's authorized agent may request from law enforcement in the county where the property is located the immediate removal of any person unlawfully occupying or possessing the owner's residential dwelling if all of the following conditions are met:

(i) The person requesting the removal is the residential dwelling owner or the owner's authorized agent;

(ii) The unauthorized person for whom removal has been requested has unlawfully entered and remains or continues to reside in the owner's residential dwelling;

(iii) There is no known pending litigation related to the residential dwelling between the owner and any known unauthorized person;

(iv) The unauthorized person is not a current or former tenant pursuant to a written or oral rental or lease agreement authorized by the owner, the owner's predecessor or the owner's authorized agent;

(v) The unauthorized person is not an immediate family member of the owner or in a cohabitating relationship with the owner.

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(b) To request the immediate removal of an unauthorized person who is occupying a residential dwelling, the owner or the owner's authorized agent shall submit to law enforcement of the county where the residential dwelling is located a complaint for the removal of the unauthorized person. The complaint shall include, at a minimum, that:

(i) The person is the owner or the owner's authorized agent for the residential dwelling;

(ii) An unauthorized person has unlawfully entered and is remaining or residing unlawfully in the residential dwelling;

(iii) The unauthorized person sought to be removed is not an owner or co-owner of the residential dwelling and has not been listed on title to the property unless the person has engaged in title fraud;

(iv) There is no known litigation related to the property that is pending between the owner and any person sought to be removed;

(v) The unauthorized person is not a current or former tenant pursuant to a written or oral rental or lease agreement authorized by the owner, the owner's predecessor or the owner's authorized agent;

(vi) The unauthorized person is not an immediate family member of the owner or in a cohabitating relationship with the owner;

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(vii) The owner acknowledges that an unauthorized person removed from the property or dwelling under this section may bring a cause of action against the owner for any false statements made in the complaint, or for wrongfully using this procedure, and that as a result of this action, the owner may be held liable for actual damages, penalties, costs and reasonable attorney fees;

(viii) The owner is requesting law enforcement to immediately remove the unauthorized person from the residential dwelling;

(ix) A copy of the owner's valid government-issued identification or a copy of documents authorizing the owner's authorized agent to act on the owner's behalf is included;

(x) The information contained in the complaint is true and correct and that the complaint is submitted under penalty of perjury.

(c) Upon receipt of a complaint under this section, law enforcement shall verify that the person who submitted the complaint is the record owner of the residential dwelling or the authorized agent of the owner and that the person is entitled to relief under this section. If law enforcement is unable to verify that the person who submitted the complaint is the record owner of the residential dwelling and is entitled to relief under this section, law enforcement shall have no obligation to provide notice and vacate the residential dwelling as provided in subsection (d) of this section.

(d) Upon verification under subsection (c) of this section, law enforcement shall, without delay, provide

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notice to immediately vacate to all unauthorized persons occupying the residential dwelling and shall put the owner in possession of the residential dwelling. Notice may be accomplished by hand delivery of the notice to the unauthorized occupant or by posting the notice on the front door or entrance of the residential dwelling. Law enforcement shall also attempt to verify the identities of all persons occupying the residential dwelling and shall document the identities. If appropriate, law enforcement may arrest any person found in the residential dwelling for trespass, outstanding warrants or any other legal cause.

**1-21-1403. Vacation of unauthorized persons; cause of action for wrongful removal.**

(a) After law enforcement provides notice to immediately vacate, the owner or the owner's authorized agent may request that law enforcement stand by to keep the peace while the owner or agent changes the locks and removes the personal property of the unauthorized person from the premises to or near the property line.

(b) Law enforcement shall not be liable to the unauthorized person or any other party for the loss, destruction or damage of property removed under this section. The owner or the owner's authorized agent shall not be liable to an unauthorized person or any other party for the loss, destruction or damage to any removed personal property unless the removal was wrongful or unless the personal property is wantonly destroyed or damaged.

(c) A person may bring a civil cause of action against an owner or the owner's authorized agent for wrongful removal. A person harmed by a wrongful removal

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under this article may be restored to possession of the residential dwelling and may recover:

(i) Actual costs and damages incurred;

(ii) Statutory damages equal to triple the fair market value of renting the residential dwelling during the period of wrongful removal;

(iii) Court costs;

(iv) Reasonable attorney fees.

(d) Nothing in this article shall be construed to limit:

(i) The rights of an owner;

(ii) The authority of any peace officer to arrest an unauthorized person for trespassing, vandalism, theft or any other criminal offense;

(iii) Remedies available under title 1, chapter 21 of the Wyoming statute or any other provision of law.

**6-5-309. Unlawful advertising or providing false documents for fraudulently conveying or leasing real property; penalties.**

(a) Any person who, with the intent to detain or remain on real property or in a residential dwelling, knowingly presents to another person a false document purporting to be a valid lease agreement, deed or other instrument conveying real property rights shall be guilty of a misdemeanor punishable by imprisonment for not more

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than six (6) months, a fine not to exceed seven hundred fifty dollars (\$750.00), or both.

(b) Any person who lists or advertises residential real property for sale knowing that the purported seller has no legal title or authority to sell the property, or who rents or leases the property to another person knowing that he has no lawful ownership or leasehold interest in the property, shall be guilty of a felony punishable by imprisonment for not more than two (2) years, a fine not to exceed five thousand dollars (\$5,000.00), or both.

**Section 2.** W.S. 6-3-201(b)(i) and by creating a new paragraph (iv) is amended to read:

**6-3-201. Property destruction and defacement; grading; penalties; aggregated costs or values.**

(b) Property destruction and defacement is:

(i) Except as provided in paragraph (iv) of this subsection, a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both, if the cost of restoring injured property or the value of the property if destroyed is less than one thousand dollars (\$1,000.00);

(iv) A felony punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars (\$10,000.00), or both, if the person unlawfully detains or occupies a residential dwelling as defined by W.S. 1-21-1401(a)(iv) and who knowingly defaces, injures or destroys property in or on the residential dwelling, regardless of the cost of restoring the injured property or the value of the property if destroyed.

ORIGINAL SENATE  
FILE NO. SF0006

ENGROSSED

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**Section 3.** This act is effective July 1, 2025.

(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