

ENROLLED ACT NO. 62, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING  
2017 GENERAL SESSION

AN ACT relating to mobile homes; specifying procedures to surrender and cancel the title of a mobile home that has been installed on a permanent foundation; and providing for effective dates.

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

**Section 1.** W.S. 31-2-502(b) and by creating a new subsection (c) is amended to read:

**31-2-502. Exclusions.**

(b) If a mobile home is installed on a permanent foundation and is taxable as real property:<sup>7</sup>

(i) The certificate of title or manufacturer's certificate of origin, if any, shall be surrendered to and cancelled by the county clerk of the county in which the mobile home is located except that no title shall be cancelled under this subsection unless all liens on the home have been released. The county clerk may require the person surrendering the title for cancellation to disclose information necessary to determine whether cancellation is proper under law. The county clerk shall issue a document certifying the cancellation of the certificate of title for recording in the real estate records of the county clerk of the county in which the mobile home is located;

(ii) If the certificate of title or manufacturer's certificate of origin is unavailable then upon filing with the county clerk a sworn affidavit in accordance with this paragraph and an acknowledgment if required by subsection (c) of this section, the clerk shall issue a title for the purpose of immediate surrender to and cancellation by the county clerk. The affidavit required

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under this paragraph shall be on a form prescribed by the department. The affiant shall attest to the unavailability of the certificate of title, manufacturer's certificate of origin or other relevant documentation and to the mobile home's permanent affixation to the real property. The surrendered title and affidavit shall be recorded in the real estate records of the county clerk of the county in which the mobile home is located upon payment of the title fee under W.S. 31-3-102(a)(vii) and recording fees under W.S. 18-3-402(a)(xvi)(A). The affidavit form shall:

(A) Include a complete description of the mobile home including its physical address and any data plate, tags, labels or other relevant identifying documentation;

(B) Include a statement that the mobile home is installed on a permanent foundation and is intended by all parties to constitute, be and remain in perpetuity a fixture to the real property;

(C) Include a statement that the mobile home is taxable as real property and not as personal property;

(D) Contain a recital of facts and circumstances by which the affiant acquired the ownership and possession of the mobile home including why the affiant is unable to provide the clerk with the certificate of title, manufacturer's certificate of origin or other relevant documentation;

(E) Contain a statement that there are no known security interests, liens or encumbrances outstanding against the mobile home separate from the land;

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(F) Contain a statement that the affiant is the true and lawful owner of the mobile home.

(c) If an affiant under paragraph (b)(ii) of this section is not the owner of the real property on which the mobile home is permanently affixed, the affiant shall file with the affidavit required under paragraph (b)(ii) of this section an acknowledgment by the owner of the real property that the mobile home is installed on a permanent foundation on the real property and is intended by the owner to constitute, be and remain in perpetuity a fixture to the real property.

**Section 2.** The department shall develop forms necessary to implement this act by July 1, 2017.

**Section 3.**

(a) Section 2 of this act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

ORIGINAL HOUSE  
BILL NO. HB0056

ENGROSSED

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(b) Except as provided in subsection (a) of this section, this act is effective July 1, 2017.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk