

SENATE FILE NO. SF0024

Property exempt from execution.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

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

5

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

7

8       **Section 1.**       W.S. 1-20-101, 1-20-104, 1-20-105,  
9 1-20-106(a)(iii), (iv) and (b) and 1-20-110(a)(iii) are  
10 amended to read:

11

12       **1-20-101. Homestead exemption; right and amount.**

13

14 Every resident of the state is entitled to a homestead not  
15 exceeding ~~ten thousand dollars (\$10,000.00)~~ twenty thousand  
16 dollars (\$20,000.00) in value, exempt from execution and

1 attachment arising from any debt, contract or civil  
2 obligation entered into or incurred.

3

4 **1-20-104. Homestead exemption; composition.**

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

13

14 **1-20-105. Wearing apparel.**

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16 The necessary wearing apparel of every person not exceeding  
17 ~~one thousand dollars (\$1,000.00)~~ two thousand dollars  
18 (\$2,000.00) in value, determined in the manner provided in  
19 W.S. 1-20-106 is exempt from levy or sale upon execution,  
20 writ of attachment or any process issuing out of any court  
21 in this state. Necessary wearing apparel shall not include  
22 jewelry of any type other than wedding rings.

23

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

3  
4           (a) The following property, when owned by any person,  
5 is exempt from levy or sale upon execution, writ of  
6 attachment or any process issuing out of any court in this  
7 state and shall continue to be exempt while the person or  
8 the family of the person is moving from one (1) place of  
9 residence to another in this state:

10  
11           (iii) Furniture, bedding, provisions and other  
12 household articles of any kind or character as the debtor  
13 may select, not exceeding in all the value of ~~two thousand~~  
14 ~~dollars (\$2,000.00)~~ four thousand dollars (\$4,000.00). When  
15 two (2) or more persons occupy the same residence, each  
16 shall be entitled to a separate exemption;

17  
18           (iv) The value in a motor vehicle not exceeding  
19 ~~in value two thousand four hundred dollars (\$2,400.00)~~ five  
20 thousand dollars (\$5,000.00).

21  
22           (b) The tools, team, implements or stock in trade of  
23 any person, used and kept for the purpose of carrying on  
24 his trade or business, not exceeding in value ~~two thousand~~

1 ~~dollars (\$2,000.00)~~ four thousand dollars (\$4,000.00), or  
2 the library, instruments and implements of any professional  
3 person, not exceeding in value ~~two thousand dollars~~  
4 ~~(\$2,000.00)~~ four thousand dollars (\$4,000.00), are exempt  
5 from levy or sale upon execution, writ of attachment or any  
6 process out of any court in this state.

7

8 **1-20-110. Exemption for retirement funds and**  
9 **accounts.**

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

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15 (iii) Any retirement or annuity fund of any  
16 person, including individual retirement accounts  
17 (IRAs) Roth individual retirement accounts (Roth IRAs) and  
18 simplified employee pension individual retirement accounts  
19 (SEP IRAs), to the extent payments are made to the fund  
20 while solvent, provided the earnings on the fund are  
21 protected from federal income tax or subject to deferral of  
22 federal income tax, or are not subject to federal income  
23 tax upon withdrawal, and the appreciation thereon, the

1 income therefrom and the benefits or annuity payable  
2 thereunder; and

3

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

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6

(END)