

ORIGINAL SENATE  
FILE NO. 0134

ENROLLED ACT NO. 60, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

AN ACT relating to liens; amending a definition; revising notice of intent to file lien; and providing for an effective date.

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

**Section 1.** W.S. 29-1-201(a)(xii) and 29-10-102 are amended to read:

**29-1-201. Definitions; agency relationships presumed.**

(a) Except as otherwise provided, as used in this act:

(xii) "Send" or "sent" means, in connection with any writing or written notice, to deposit in the mail or deliver for transmission by any other usual means of communication with postage or cost of transmission provided for and properly addressed and, in the case of an instrument to an address specified thereon or otherwise agreed, or if no address is specified, to any address reasonable under the circumstances. The foregoing method of delivery includes delivery by any commercial carrier that requests and maintains a receipt for delivery of written documents and also includes an electronic record as set forth in the Uniform Electronic Transactions Act if the sender and recipient have previously communicated by electronic means. In the event any writing is transmitted by mail with the United States postal service, such writing shall be mailed by first class mail, by certified mail, return receipt requested, or by mail delivery requiring a receipt for delivery. The time a writing is deemed to have been sent is the time at which the writing is deposited in the mail or delivered for transmission by any other means

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and, in the case of an electronic record, the time of sending is as specified in W.S. 40-21-115;

**29-10-102. Form for notice of intention to file lien.**

(a) Notice of intention to file a lien shall be sent to the record owner of the property against which the lien may be filed, sent to the lien claimant and shall be completed in substantially the following form:

Note to lien claimant: This form, if filled out correctly and sent within the time periods specified in W.S. 29-2-107 constitutes prima facie evidence that you have provided the contents of the notice required by W.S. 29-2-107(a). If you have any questions regarding how to fill out this form or whether it has been filled out properly, you should consult an attorney.

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

To: \_\_\_\_\_  
Record owner or agent of owner (note: If there is more than one (1) owner, use a form for each owner)

Date: \_\_\_\_\_, 20\_\_

Re: Notice of Intention to File Lien

You are hereby notified pursuant to W.S. 29-2-107 that \_\_\_\_\_ (hereinafter the "lien claimant") intends to file a lien against your property.

The amount of the lien claim is \$\_\_\_\_\_. This amount is due from \_\_\_\_\_ (person/entity whose actions have caused a lien to be filed) pursuant to a

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contract with the lien claimant under which the lien claimant performed work or supplied materials for the work.

If we are unable to resolve this matter within ~~thirty (30)~~ twenty (20) days from the date of this notice, the lien claimant intends to file the lien statement asserting a lien against your property.

cc: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section 2.** This act is effective July 1, 2011.

(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