

**Bill No.:** HB0091 **Effective:** 7/1/2021 12:00:00 AM

**LSO No.:** 21LSO-0465

**Enrolled Act No.:** HEA No. 0032

**Chapter No.:** 70

**Prime Sponsor:** Duncan

**Catch Title:** **Removal of unenforceable property covenants.**

**Subject:** Provided for removal of unenforceable property covenants.

**Summary/Major Elements:**

- Establishes applicable unenforceable property covenants including covenants deemed unenforceable by the United States or Wyoming Supreme Court or in violation of certain fair housing laws.
- Provides for a recordation procedure with the county clerk for removal of unenforceable property covenants.
- Provides immunity from civil liability for a good faith effort at removal with certain exceptions.
- Provides for a civil court action to reinstate improperly removed enforceable covenants.
- The civil action provisions include filing a petition with the court, a show cause hearing, and entry of an order upholding the removal of the covenant or holding the covenant as valid and enforceable. Payment of damages may be ordered by the court if the covenant is found valid and enforceable. Payment of attorney's fees may be ordered by the court if the covenant is found void and unenforceable.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.