

SENATE FILE NO. SF0105

Real estate brokers-duties and disclosure amendments.

Sponsored by: Senator(s) Jones, Anderson, Barlow, Brennan,
Cooper, Crago, Crum, Dockstader, Driskill,
Nethercott, Schuler and Steinmetz and
Representative(s) Andrew, Banks, Geringer,
Larson, JT, Lawley and Wylie

A BILL

for

1 AN ACT relating to real estate brokers and salespersons;
2 amending the definition of "customer" for purposes of real
3 estate transactions and licensing provisions; amending the
4 disclosures that are required when establishing a broker
5 relationship; amending disclosure requirements for
6 licensees working with a buyer or seller who is a customer;
7 specifying applicability; and providing for an effective
8 date.

9

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

11

12 **Section** 1. W.S. 33-28-102(b) (xiii),
13 33-28-306(a) (intro) and (vii) and (b) (i) and 33-28-310(e)
14 are amended to read:

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2 **33-28-102. Definitions.**

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4 (b) As used in this act:

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6 (xiii) "Customer" means a person who has
7 expressed an interest in buying, selling or leasing real
8 estate or who attends a showing of real estate without any
9 agency relationship or a party to a real estate transaction
10 who has established no intermediary or agency relationship
11 with any licensee involved in the transaction;

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13 **33-28-306. Relationship disclosures.**

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15 (a) For purposes of this section, open or initial
16 house showings, preliminary conversations and requests for
17 factual information do not constitute discussions or
18 arrangements incidental to a sale, purchase, exchange or
19 lease of real estate. Prior to engaging in any discussion
20 or arrangement incidental to a sale, purchase, exchange or
21 lease of real estate, and, prior to entering into any
22 written agreement with a buyer or seller, a licensee shall
23 make a written disclosure of applicable agency,

1 intermediary or customer relationships ~~which~~ that shall
2 contain, at a minimum, all of the following:

3

4 (vii) A statement that a customer shall not :

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6 (A) Be required to sign any legal written
7 agency agreement to view or tour real estate during open or
8 initial house showings;

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10 (B) Be afforded any confidentiality in any
11 communication to or with the licensee.

12

13 (b) The written disclosure shall contain a signature
14 line for the buyer or seller to acknowledge receipt of the
15 disclosure. The disclosure and acknowledgment, by itself,
16 shall not constitute a contract or agreement with the
17 licensee. Until the buyer or seller executes such
18 acknowledgment, no representation agreement shall be
19 executed or valid except, provided if a buyer or seller
20 refuses to sign the disclosure after presentation by the
21 licensee:

22

1 (i) The licensee may document the refusal with a
2 signed acknowledgement by the licensee and continue with
3 the transaction or with providing services to a customer;
4 and

5
6 **33-28-310. Licensees working with buyers and sellers**
7 **as customers; duties; exceptions.**

8
9 (e) A licensee working with a buyer or seller who is
10 a customer shall provide the customer an agency disclosure.
11 An agency disclosure provided under this subsection shall
12 be sufficient to satisfy any documentation or disclosure
13 requirement for the formation or establishment of an agency
14 relationship.

15
16 **Section 2.** Nothing in this act shall be construed to
17 alter, amend or impair any contract or other agreement for
18 the establishment of an agency, broker or other
19 relationship between a real estate licensee or broker and a
20 customer, buyer or seller entered into before the effective
21 date of this act.

22

1 **Section 3.** This act is effective July 1, 2026.

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(END)