

WORKING DRAFT

HOUSE BILL NO. _____

Coal valuation-alternative method.

Sponsored by: Joint Minerals, Business and Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to taxation and revenue; authorizing the
2 department of revenue to use an alternate valuation method
3 for coal under certain circumstances; providing for notice
4 and appeal; 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. 39-14-103(b) (x) is amended to read:

9

10 **39-14-103. Imposition.**

11

12 (b) Basis of tax (valuation). The following
13 shall apply:

14

1 (x) In the event that unique or unusual
2 circumstances exist such that the department or the
3 taxpayer is unable to determine the value of the gross
4 product of coal from a mine or mining claim by application
5 of the methods provided in this subsection, the following
6 shall apply:

7
8 (A) The taxpayer may petition the
9 department for approval to use an alternate valuation
10 method. The department shall approve or deny the use of an
11 alternate valuation method and shall so inform the parties
12 within forty-five (45) days of the date the petition is
13 filed; or

14
15 (B) The department may use an
16 alternate valuation method. The department shall notify
17 the taxpayer by mail of the use of an alternate valuation
18 method. This notice shall be a final administrative
19 decision of the department and may be appealed as provided
20 under W.S. 39-14-109(b)(i).

21
22 **Section 2.** This act is effective January 1, 2004.

23
24 (END)

1 Staff comments: Current law allows the taxpayer to
2 petition the Department to use an alternate valuation
3 method; however, the Department does not have authority to
4 choose an alternate method. This bill draft will give the
5 Department this authority, and if the taxpayer objects to
6 the method, the taxpayer can appeal to the Board of
7 Equalization.

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