

HOUSE BILL NO. HB0088

Distribution of severance tax.

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

A BILL

for

1 AN ACT relating to administration of government; amending
2 provisions for the deposit and distribution of certain
3 severance taxes as specified; repealing specified
4 distribution of certain severance taxes; eliminating
5 duplicative language; making technical and conforming
6 amendments; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 9-4-1002(d)(iii)(B)(II),
11 39-14-111(a), 39-14-211(a), 39-14-311(a) and 39-14-511(a)
12 are amended to read:

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14 **9-4-1002. Guarantee program for local government**
15 **bonds.**

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1 (d) As a condition of participating in the bond
2 guarantee program under this section, a city, town or
3 county shall enter into agreements necessary to provide
4 that:

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6 (iii) If the city, town or county fails to
7 comply with paragraph (ii) of this subsection:

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9 (B) To the extent that the city, town or
10 county has not deposited sufficient funds with the state to
11 comply with paragraph (ii) of this subsection, the state is
12 deemed to have loaned and the city, town or county is
13 deemed to have borrowed those funds subject to the
14 following terms and conditions:

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16 (II) The loan, including principal and
17 interest, shall be repaid from the city, town or county's
18 next distributions of federal mineral royalties under W.S.
19 9-4-601(a)(v), ~~(ix) and (x)~~ and of severance taxes under
20 W.S. ~~39-14-211(d)(i) or (ii)~~ 39-14-801(d)(v), (vi) or
21 (viii). The loan is not deemed to be a general obligation
22 of the city, town or county, and the state shall not
23 require repayment from any source other than as provided in
24 this subdivision;

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39-14-111. Distribution.

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4 (a) As provided by W.S. 39-14-104(a), the total
5 severance tax rate for surface coal shall be seven percent
6 (7%). As provided by W.S. 39-14-104(b), the total severance
7 tax rate for underground coal shall be three and three-
8 quarters percent (3.75%). A ~~two and one-half percent (2.5%)~~
9 one and one-half percent (1.5%) tax imposed by W.S.
10 39-14-104(a) (i), ~~(ii) and (vi)~~ and a one and one-half
11 percent (1.5%) tax imposed by W.S. 39-14-104(b) (i) shall be
12 deposited into the permanent Wyoming mineral trust fund.
13 ~~except for the period beginning March 15, 1988, and ending~~
14 ~~June 30, 2004, during which the proceeds of the tax imposed~~
15 ~~by W.S. 39-14-104(a) (ii) and (vi)~~ All other taxes imposed
16 by W.S. 39-14-104(a) and (b) shall be deposited into the
17 severance tax distribution account.

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39-14-211. Distribution.

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21 (a) The state treasurer shall transfer the revenue
22 collected from the severance tax imposed by W.S.
23 39-14-204(a) (i) into the permanent Wyoming mineral trust
24 fund. The state treasurer shall transfer the revenue

1 collected from the severance tax imposed by W.S.
2 39-14-204(a)(ii), (iii) and (iv) into the severance tax
3 distribution account.

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5 **39-14-311. Distribution.**

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7 (a) As provided by W.S. 39-14-304(a), the total
8 severance tax rate for trona shall be four percent (4%). ~~A~~
9 ~~two percent (2%) tax~~ The taxes imposed by W.S.
10 ~~39-14-304(a)(i)~~ 39-14-304(a) shall be deposited into the
11 ~~permanent Wyoming mineral trust fund except for the period~~
12 ~~beginning March 15, 1988, and ending June 30, 2004, during~~
13 ~~which the proceeds shall be deposited into the~~ severance
14 tax distribution account.

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16 **39-14-511. Distribution.**

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18 (a) As provided by W.S. 39-14-504(a), the total
19 severance tax rate for uranium shall be four percent (4%).
20 ~~A two percent (2%) tax~~ The taxes imposed by W.S.
21 ~~39-14-504(a)(i)~~ 39-14-504(a) shall be deposited into the
22 ~~permanent Wyoming mineral trust fund except for the period~~
23 ~~beginning March 15, 1988, and ending June 30, 2004, during~~

1 ~~which the proceeds shall be deposited into the~~ severance
2 tax distribution account.

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4 **Section 2.** W.S. 9-4-601(h), 39-14-111(b) through (d)
5 and (k), 39-14-211(b), (c), (d), (h) and (j), 39-14-311(b)
6 and 39-14-511(b) are repealed.

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8 **Section 3.** This act is effective July 1, 2002.

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10 (END)