

## HOUSE BILL NO. HB0345

Incentives for mineral exploration-2.

Sponsored by: Representative(s) Miller, Buchanan, Cohee  
and Simpson

A BILL

for

1 AN ACT relating to taxation and revenue; providing for a  
2 severance tax credit for certain mineral exploration as  
3 specified; providing procedures; providing for a report;  
4 providing for rules and regulations; and providing for an  
5 effective date.

6

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

8

9       **Section 1.**       W.S. 39-14-105 by creating a new  
10 subsection (e), 39-14-205 by creating a new subsection (m),  
11 39-14-305, 39-14-405, 39-14-505 by creating a new  
12 subsection (c), 39-14-605 and 39-14-705 are amended to  
13 read:

14

15       **39-14-105. Exemptions.**

16

1       (e) The following shall apply to the mineral  
2 exploration tax credit:

3  
4       (i) Any person conducting or funding certain  
5 mineral exploration activities which are performed on or  
6 for the benefit of land in this state for the purpose of  
7 determining the existence, location, quantity or quality of  
8 a locatable or leasable mineral deposit on private or  
9 public land may be eligible for a tax credit as provided by  
10 this subsection. The credit shall only be available for  
11 any mineral which is currently not being produced in the  
12 county in which the exploration activities occur. The  
13 mineral exploration activities eligible for the credit  
14 shall include:

15  
16               (A) Surveying by geophysical or geochemical  
17 methods;

18  
19               (B) Drilling an exploration hole;

20  
21               (C) Surface trenching and bulk sampling; or  
22

1                   (D) Performing other exploratory work,  
2 including aerial photographs, geological and geophysical  
3 logging, sample analysis and metallurgical testing.

4  
5                   (ii) An exploration incentive exemption may not  
6 be granted under paragraph (i) of this subsection for  
7 exploration activity described in that paragraph which  
8 occurs after a mining permit is issued for that mine by the  
9 Wyoming department of environmental quality;

10

11                   (iii) Any person wishing to obtain the credit  
12 authorized by this subsection shall submit data and  
13 information to the Wyoming geological survey office on a  
14 form and in such manner approved by the office. The  
15 application shall:

16

17                   (A) Include a list of expenditures  
18 qualifying for the credit authorized under this subsection  
19 in a manner approved by the office;

20

21                   (B) Describe the work accomplished during  
22 the year covered by the request, the number of employees,  
23 and the names and number of consultants;

24

1                   (C) Provide a detailed list or ledger of  
2 expenditures of the accomplishments described in  
3 subparagraph (B) of this paragraph and a list of  
4 exploration activity data to be provided to the office;

5  
6                   (D) Provide a statement by a certified  
7 public accountant that expenditures are supported by  
8 receipts for all activities eligible for the credit under  
9 paragraph (i) of this subsection for each calendar year  
10 that these expenditures for a single exploration project  
11 equal or exceed forty thousand dollars (\$40,000.00);

12  
13                   (E) Include all exploration data generated  
14 tied to the Wyoming state plane coordinate system.  
15 Accuracy shall reflect the type of data collected and be  
16 consistent with industry standards as required by the  
17 office;

18  
19                   (F) Such other items as the office by rule  
20 and regulation may reasonably require.

21  
22                   (iv) Not more than ninety (90) days following  
23 completion and collection of the data and not later than  
24 December 31, all factual and interpretive data as required

1 by this subsection shall be submitted to the office. The  
2 following shall apply:

3  
4 (A) All information shall be examined by  
5 the appropriate specialist in the office and a letter  
6 transmitted to the department of revenue either approving  
7 or denying the request for a tax credit. Any incomplete  
8 submission of data shall subject the application to denial;

9  
10 (B) Any submitted materials shall become  
11 the property of the state;

12  
13 (C) Any material submitted shall remain  
14 confidential until December 31 of the year following the  
15 year of the submission.

16  
17 (v) If the application for the tax credit is  
18 granted, the person obtaining the credit may apply the  
19 credit against the tax due under W.S. 39-14-104(a)(ii) or  
20 (b)(ii). In no event shall the credit taken against the  
21 severance tax due exceed the lesser of:

1                   (A) Fifty percent (50%) of the person's  
2 total tax liability under W.S. 39-14-104(a)(ii) or (b)(ii)  
3 for the calendar year; or

4  
5                   (B) One hundred thousand dollars  
6 (\$100,000.00) for any one (1) calendar year of production.

7  
8                   (vi) The department of revenue shall promulgate  
9 reasonable rules and regulations for the implementation of  
10 this subsection;

11  
12                   (vii) The department of revenue and the Wyoming  
13 geological survey office shall report jointly on the  
14 results of the credit authorized by this subsection  
15 annually on or before November 1 to the governor and the  
16 legislature.

17  
18                   **39-14-205. Exemptions.**

19  
20                   (m) The following shall apply to the mineral  
21 exploration tax credit:

22  
23                   (i) Any person conducting or funding certain  
24 mineral exploration activities which are performed on or

for the benefit of land in this state for the purpose of determining the existence, location, quantity or quality of a locatable or leasable mineral deposit on private or public land may be eligible for a tax credit as provided by this subsection. The credit shall only be available for any mineral which is currently not being produced in the county in which the exploration activities occur. The mineral exploration activities eligible for the credit shall include:

(A) Surveying by geophysical or geochemical methods;

(B) Drilling an exploration hole;

(C) Surface trenching and bulk sampling; or

(D) Performing other exploratory work, including aerial photographs, geological and geophysical logging, sample analysis and metallurgical testing.

(ii) An exploration incentive exemption may not be granted under paragraph (i) of this subsection for exploration activity described in that paragraph which

1 occurs after any amounts of oil and gas have been produced  
2 which must be reported to the Wyoming oil and gas  
3 conservation commission;

4  
5 (iii) Any person wishing to obtain the credit  
6 authorized by this subsection shall submit data and  
7 information to the Wyoming geological survey office on a  
8 form and in such manner approved by the office. The  
9 application shall:

10  
11 (A) Include a list of expenditures  
12 qualifying for the credit authorized under this subsection  
13 in a manner approved by the office;

14  
15 (B) Describe the work accomplished during  
16 the year covered by the request, the number of employees,  
17 and the names and number of consultants;

18  
19 (C) Provide a detailed list or ledger of  
20 expenditures of the accomplishments described in  
21 subparagraph (B) of this paragraph and a list of  
22 exploration activity data to be provided to the office;

23

1                   (D) Provide a statement by a certified  
2 public accountant that expenditures are supported by  
3 receipts for all activities eligible for the credit under  
4 paragraph (i) of this subsection for each calendar year  
5 that these expenditures for a single exploration project  
6 equal or exceed forty thousand dollars (\$40,000.00);

7  
8                   (E) Include all exploration data generated  
9 tied to the Wyoming state plane coordinate system.  
10 Accuracy shall reflect the type of data collected and be  
11 consistent with industry standards as required by the  
12 office;

13  
14                   (F) Such other items as the office by rule  
15 and regulation may reasonably require.

16  
17                   (iv) Not more than ninety (90) days following  
18 completion and collection of the data and not later than  
19 December 31, all factual and interpretive data as required  
20 by this subsection shall be submitted to the office. The  
21 following shall apply:

22  
23                   (A) All information shall be examined by  
24 the appropriate specialist in the office and a letter

1 transmitted to the department of revenue either approving  
2 or denying the request for a tax credit. Any incomplete  
3 submission of data shall subject the application to denial;  
4

5 (B) Any submitted materials shall become  
6 the property of the state;  
7

8 (C) Any material submitted shall remain  
9 confidential until December 31 of the year following the  
10 year of the submission.  
11

12 (v) If the application for the tax credit is  
13 granted, the person obtaining the credit may apply the  
14 credit against the tax due under W.S. 39-14-204(a)(ii). In  
15 no event shall the credit taken against the severance tax  
16 due exceed the lesser of:  
17

18 (A) Fifty percent (50%) of the person's  
19 total tax liability under W.S. 39-14-204(a)(ii) for the  
20 calendar year; or  
21

22 (B) One hundred thousand dollars  
23 (\$100,000.00) for any one (1) calendar year of production.  
24

1           (vi) The department of revenue shall promulgate  
2 reasonable rules and regulations for the implementation of  
3 this subsection;

4  
5           (vii) The department of revenue and the Wyoming  
6 geological survey office shall report jointly on the  
7 results of the credit authorized by this subsection  
8 annually on or before November 1 to the governor and the  
9 legislature.

10  
11           **39-14-305. Exemptions.**

12  
13           (a) ~~There are no specific applicable provisions for~~  
14 ~~exemptions for this chapter.~~ The following shall apply to  
15 the mineral exploration tax credit:

16  
17           (i) Any person conducting or funding certain  
18 mineral exploration activities which are performed on or  
19 for the benefit of land in this state for the purpose of  
20 determining the existence, location, quantity or quality of  
21 a locatable or leasable mineral deposit on private or  
22 public land may be eligible for a tax credit as provided by  
23 this subsection. The credit shall only be available for  
24 any mineral which is currently not being produced in the

1 county in which the exploration activities occur. The  
2 mineral exploration activities eligible for the credit  
3 shall include:

4  
5 (A) Surveying by geophysical or geochemical  
6 methods;

7  
8 (B) Drilling an exploration hole;

9  
10 (C) Surface trenching and bulk sampling; or

11  
12 (D) Performing other exploratory work,  
13 including aerial photographs, geological and geophysical  
14 logging, sample analysis and metallurgical testing.

15  
16 (ii) An exploration incentive exemption may not  
17 be granted under paragraph (i) of this subsection for  
18 exploration activity described in that paragraph which  
19 occurs after a mining permit is issued for that mine by the  
20 Wyoming department of environmental quality;

21  
22 (iii) Any person wishing to obtain the credit  
23 authorized by this subsection shall submit data and  
24 information to the Wyoming geological survey office on a

1 form and in such manner approved by the office. The  
2 application shall:

3  
4 (A) Include a list of expenditures  
5 qualifying for the credit authorized under this subsection  
6 in a manner approved by the office;

7  
8 (B) Describe the work accomplished during  
9 the year covered by the request, the number of employees,  
10 and the names and number of consultants;

11  
12 (C) Provide a detailed list or ledger of  
13 expenditures of the accomplishments described in  
14 subparagraph (B) of this paragraph and a list of  
15 exploration activity data to be provided to the office;

16  
17 (D) Provide a statement by a certified  
18 public accountant that expenditures are supported by  
19 receipts for all activities eligible for the credit under  
20 paragraph (i) of this subsection for each calendar year  
21 that these expenditures for a single exploration project  
22 equal or exceed forty thousand dollars (\$40,000.00);

23

1                   (E) Include all exploration data generated  
2 tied to the Wyoming state plane coordinate system.  
3 Accuracy shall reflect the type of data collected and be  
4 consistent with industry standards as required by the  
5 office;

6  
7                   (F) Such other items as the office by rule  
8 and regulation may reasonably require.

9  
10                  (iv) Not more than ninety (90) days following  
11 completion and collection of the data and not later than  
12 December 31, all factual and interpretive data as required  
13 by this subsection shall be submitted to the office. The  
14 following shall apply:

15  
16                  (A) All information shall be examined by  
17 the appropriate specialist in the office and a letter  
18 transmitted to the department of revenue either approving  
19 or denying the request for a tax credit. Any incomplete  
20 submission of data shall subject the application to denial;

21  
22                  (B) Any submitted materials shall become  
23 the property of the state;

24

1                   (C) Any material submitted shall remain  
2 confidential until December 31 of the year following the  
3 year of the submission.

4  
5                   (v) If the application for the tax credit is  
6 granted, the person obtaining the credit may apply the  
7 credit against the tax due under W.S. 39-14-304(a)(ii). In  
8 no event shall the credit taken against the severance tax  
9 due exceed the lesser of:

10

11                   (A) Fifty percent (50%) of the person's  
12 total tax liability under W.S. 39-14-304(a)(ii) for the  
13 calendar year; or

14

15                   (B) One hundred thousand dollars  
16 (\$100,000.00) for any one (1) calendar year of production.

17

18                   (vi) The department of revenue shall promulgate  
19 reasonable rules and regulations for the implementation of  
20 this subsection;

21

22                   (vii) The department of revenue and the Wyoming  
23 geological survey office shall report jointly on the  
24 results of the credit authorized by this subsection

1 annually on or before November 1 to the governor and the  
2 legislature.

3  
4 **39-14-405. Exemptions.**

5  
6 (a) ~~There are no specific applicable provisions for~~  
7 ~~exemptions for this chapter.~~ The following shall apply to  
8 the mineral exploration tax credit:

9  
10 (i) Any person conducting or funding certain  
11 mineral exploration activities which are performed on or  
12 for the benefit of land in this state for the purpose of  
13 determining the existence, location, quantity or quality of  
14 a locatable or leasable mineral deposit on private or  
15 public land may be eligible for a tax credit as provided by  
16 this subsection. The credit shall only be available for  
17 any mineral which is currently not being produced in the  
18 county in which the exploration activities occur. The  
19 mineral exploration activities eligible for the credit  
20 shall include:

21  
22 (A) Surveying by geophysical or geochemical  
23 methods;

1                   (B) Drilling an exploration hole;

2

3                   (C) Surface trenching and bulk sampling; or

4

5                   (D) Performing other exploratory work,  
6 including aerial photographs, geological and geophysical  
7 logging, sample analysis and metallurgical testing.

8

9                   (ii) An exploration incentive exemption may not  
10 be granted under paragraph (i) of this subsection for  
11 exploration activity described in that paragraph which  
12 occurs after a mining permit is issued for that mine by the  
13 Wyoming department of environmental quality;

14

15                   (iii) Any person wishing to obtain the credit  
16 authorized by this subsection shall submit data and  
17 information to the Wyoming geological survey office on a  
18 form and in such manner approved by the office. The  
19 application shall:

20

21                   (A) Include a list of expenditures  
22 qualifying for the credit authorized under this subsection  
23 in a manner approved by the office;

24

1                   (B) Describe the work accomplished during  
2 the year covered by the request, the number of employees,  
3 and the names and number of consultants;

4  
5                   (C) Provide a detailed list or ledger of  
6 expenditures of the accomplishments described in  
7 subparagraph (B) of this paragraph and a list of  
8 exploration activity data to be provided to the office;

9  
10                  (D) Provide a statement by a certified  
11 public accountant that expenditures are supported by  
12 receipts for all activities eligible for the credit under  
13 paragraph (i) of this subsection for each calendar year  
14 that these expenditures for a single exploration project  
15 equal or exceed forty thousand dollars (\$40,000.00);

16  
17                  (E) Include all exploration data generated  
18 tied to the Wyoming state plane coordinate system.  
19 Accuracy shall reflect the type of data collected and be  
20 consistent with industry standards as required by the  
21 office;

22  
23                  (F) Such other items as the office by rule  
24 and regulation may reasonably require.

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(iv) Not more than ninety (90) days following completion and collection of the data and not later than December 31, all factual and interpretive data as required by this subsection shall be submitted to the office. The following shall apply:

(A) All information shall be examined by the appropriate specialist in the office and a letter transmitted to the department of revenue either approving or denying the request for a tax credit. Any incomplete submission of data shall subject the application to denial;

(B) Any submitted materials shall become the property of the state;

(C) Any material submitted shall remain confidential until December 31 of the year following the year of the submission.

(v) If the application for the tax credit is granted, the person obtaining the credit may apply the credit against the tax due under W.S. 39-14-404. In no

1 event shall the credit taken against the severance tax due  
2 exceed the lesser of:

3  
4 (A) Fifty percent (50%) of the person's  
5 total tax liability under W.S. 39-14-404 for the calendar  
6 year; or

7  
8 (B) One hundred thousand dollars  
9 (\$100,000.00) for any one (1) calendar year of production.

10  
11 (vi) The department of revenue shall promulgate  
12 reasonable rules and regulations for the implementation of  
13 this subsection;

14  
15 (vii) The department of revenue and the Wyoming  
16 geological survey office shall report jointly on the  
17 results of the credit authorized by this subsection  
18 annually on or before November 1 to the governor and the  
19 legislature.

20  
21 **39-14-505. Exemptions.**

22  
23 (c) The following shall apply to the mineral  
24 exploration tax credit:

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(i) Any person conducting or funding certain mineral exploration activities which are performed on or for the benefit of land in this state for the purpose of determining the existence, location, quantity or quality of a locatable or leasable mineral deposit on private or public land may be eligible for a tax credit as provided by this subsection. The credit shall only be available for any mineral which is currently not being produced in the county in which the exploration activities occur. The mineral exploration activities eligible for the credit shall include:

(A) Surveying by geophysical or geochemical methods;

(B) Drilling an exploration hole;

(C) Surface trenching and bulk sampling; or

(D) Performing other exploratory work, including aerial photographs, geological and geophysical logging, sample analysis and metallurgical testing.

1           (ii) An exploration incentive exemption may not  
2 be granted under paragraph (i) of this subsection for  
3 exploration activity described in that paragraph which  
4 occurs after a mining permit is issued for that mine by the  
5 Wyoming department of environmental quality;

6  
7           (iii) Any person wishing to obtain the credit  
8 authorized by this subsection shall submit data and  
9 information to the Wyoming geological survey office on a  
10 form and in such manner approved by the office. The  
11 application shall:

12  
13               (A) Include a list of expenditures  
14 qualifying for the credit authorized under this subsection  
15 in a manner approved by the office;

16  
17               (B) Describe the work accomplished during  
18 the year covered by the request, the number of employees,  
19 and the names and number of consultants;

20  
21               (C) Provide a detailed list or ledger of  
22 expenditures of the accomplishments described in  
23 subparagraph (B) of this paragraph and a list of  
24 exploration activity data to be provided to the office;

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(D) Provide a statement by a certified public accountant that expenditures are supported by receipts for all activities eligible for the credit under paragraph (i) of this subsection for each calendar year that these expenditures for a single exploration project equal or exceed forty thousand dollars (\$40,000.00);

(E) Include all exploration data generated tied to the Wyoming state plane coordinate system. Accuracy shall reflect the type of data collected and be consistent with industry standards as required by the office;

(F) Such other items as the office by rule and regulation may reasonably require.

(iv) Not more than ninety (90) days following completion and collection of the data and not later than December 31, all factual and interpretive data as required by this subsection shall be submitted to the office. The following shall apply:

1                   (A) All information shall be examined by  
2 the appropriate specialist in the office and a letter  
3 transmitted to the department of revenue either approving  
4 or denying the request for a tax credit. Any incomplete  
5 submission of data shall subject the application to denial;

6  
7                   (B) Any submitted materials shall become  
8 the property of the state;

9  
10                  (C) Any material submitted shall remain  
11 confidential until December 31 of the year following the  
12 year of the submission.

13  
14                  (v) If the application for the tax credit is  
15 granted, the person obtaining the credit may apply the  
16 credit against the tax due under W.S. 39-14-504(a)(ii). In  
17 no event shall the credit taken against the severance tax  
18 due exceed the lesser of:

19  
20                  (A) Fifty percent (50%) of the person's  
21 total tax liability under W.S. 39-14-504(a)(ii) for the  
22 calendar year; or

23

1                   (B) One hundred thousand dollars  
2   (\$100,000.00) for any one (1) calendar year of production.

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4                   (vi) The department of revenue shall promulgate  
5   reasonable rules and regulations for the implementation of  
6   this subsection;

7

8                   (vii) The department of revenue and the Wyoming  
9   geological survey office shall report jointly on the  
10   results of the credit authorized by this subsection  
11   annually on or before November 1 to the governor and the  
12   legislature.

13

14           **39-14-605. Exemptions.**

15

16           ~~(a) There are no specific applicable provisions for~~  
17   ~~exemptions for this chapter.~~ The following shall apply to  
18   the mineral exploration tax credit:

19

20                   (i) Any person conducting or funding certain  
21   mineral exploration activities which are performed on or  
22   for the benefit of land in this state for the purpose of  
23   determining the existence, location, quantity or quality of  
24   a locatable or leasable mineral deposit on private or

1 public land may be eligible for a tax credit as provided by  
2 this subsection. The credit shall only be available for  
3 any mineral which is currently not being produced in the  
4 county in which the exploration activities occur. The  
5 mineral exploration activities eligible for the credit  
6 shall include:

7  
8 (A) Surveying by geophysical or geochemical  
9 methods;

10  
11 (B) Drilling an exploration hole;

12  
13 (C) Surface trenching and bulk sampling; or

14  
15 (D) Performing other exploratory work,  
16 including aerial photographs, geological and geophysical  
17 logging, sample analysis and metallurgical testing.

18  
19 (ii) An exploration incentive exemption may not  
20 be granted under paragraph (i) of this subsection for  
21 exploration activity described in that paragraph which  
22 occurs after a mining permit is issued for that mine by the  
23 Wyoming department of environmental quality;

1           (iii) Any person wishing to obtain the credit  
2 authorized by this subsection shall submit data and  
3 information to the Wyoming geological survey office on a  
4 form and in such manner approved by the office. The  
5 application shall:

6  
7           (A) Include a list of expenditures  
8 qualifying for the credit authorized under this subsection  
9 in a manner approved by the office;

10  
11           (B) Describe the work accomplished during  
12 the year covered by the request, the number of employees,  
13 and the names and number of consultants;

14  
15           (C) Provide a detailed list or ledger of  
16 expenditures of the accomplishments described in  
17 subparagraph (B) of this paragraph and a list of  
18 exploration activity data to be provided to the office;

19  
20           (D) Provide a statement by a certified  
21 public accountant that expenditures are supported by  
22 receipts for all activities eligible for the credit under  
23 paragraph (i) of this subsection for each calendar year

1 that these expenditures for a single exploration project  
2 equal or exceed forty thousand dollars (\$40,000.00);

3  
4 (E) Include all exploration data generated  
5 tied to the Wyoming state plane coordinate system.  
6 Accuracy shall reflect the type of data collected and be  
7 consistent with industry standards as required by the  
8 office;

9  
10 (F) Such other items as the office by rule  
11 and regulation may reasonably require.

12  
13 (iv) Not more than ninety (90) days following  
14 completion and collection of the data and not later than  
15 December 31, all factual and interpretive data as required  
16 by this subsection shall be submitted to the office. The  
17 following shall apply:

18  
19 (A) All information shall be examined by  
20 the appropriate specialist in the office and a letter  
21 transmitted to the department of revenue either approving  
22 or denying the request for a tax credit. Any incomplete  
23 submission of data shall subject the application to denial;

1                   (B) Any submitted materials shall become  
2 the property of the state;

3

4                   (C) Any material submitted shall remain  
5 confidential until December 31 of the year following the  
6 year of the submission.

7

8                   (v) If the application for the tax credit is  
9 granted, the person obtaining the credit may apply the  
10 credit against the tax due under W.S. 39-14-604. In no  
11 event shall the credit taken against the severance tax due  
12 exceed the lesser of:

13

14                   (A) Fifty percent (50%) of the person's  
15 total tax liability under W.S. 39-14-604 for the calendar  
16 year; or

17

18                   (B) One hundred thousand dollars  
19 (\$100,000.00) for any one (1) calendar year of production.

20

21                   (vi) The department of revenue shall promulgate  
22 reasonable rules and regulations for the implementation of  
23 this subsection;

24

1           (vii) The department of revenue and the Wyoming  
2 geological survey office shall report jointly on the  
3 results of the credit authorized by this subsection  
4 annually on or before November 1 to the governor and the  
5 legislature.

6  
7           **39-14-705. Exemptions.**

8  
9           ~~(a) There are no specific applicable provisions for~~  
10 ~~exemptions for this article.~~ The following shall apply to  
11 the mineral exploration tax credit:

12  
13           (i) Any person conducting or funding certain  
14 mineral exploration activities which are performed on or  
15 for the benefit of land in this state for the purpose of  
16 determining the existence, location, quantity or quality of  
17 a locatable or leasable mineral deposit on private or  
18 public land may be eligible for a tax credit as provided by  
19 this subsection. The credit shall only be available for  
20 any mineral which is currently not being produced in the  
21 county in which the exploration activities occur. The  
22 mineral exploration activities eligible for the credit  
23 shall include:

1                   (A) Surveying by geophysical or geochemical  
2 methods;

3  
4                   (B) Drilling an exploration hole;

5  
6                   (C) Surface trenching and bulk sampling; or

7  
8                   (D) Performing other exploratory work,  
9 including aerial photographs, geological and geophysical  
10 logging, sample analysis and metallurgical testing.

11  
12                   (ii) An exploration incentive exemption may not  
13 be granted under paragraph (i) of this subsection for  
14 exploration activity described in that paragraph which  
15 occurs after a mining permit is issued for that mine by the  
16 Wyoming department of environmental quality;

17  
18                   (iii) Any person wishing to obtain the credit  
19 authorized by this subsection shall submit data and  
20 information to the Wyoming geological survey office on a  
21 form and in such manner approved by the office. The  
22 application shall:

1                   (A) Include a list of expenditures  
2 qualifying for the credit authorized under this subsection  
3 in a manner approved by the office;

4  
5                   (B) Describe the work accomplished during  
6 the year covered by the request, the number of employees,  
7 and the names and number of consultants;

8  
9                   (C) Provide a detailed list or ledger of  
10 expenditures of the accomplishments described in  
11 subparagraph (B) of this paragraph and a list of  
12 exploration activity data to be provided to the office;

13  
14                   (D) Provide a statement by a certified  
15 public accountant that expenditures are supported by  
16 receipts for all activities eligible for the credit under  
17 paragraph (i) of this subsection for each calendar year  
18 that these expenditures for a single exploration project  
19 equal or exceed forty thousand dollars (\$40,000.00);

20  
21                   (E) Include all exploration data generated  
22 tied to the Wyoming state plane coordinate system.  
23 Accuracy shall reflect the type of data collected and be

1 consistent with industry standards as required by the  
2 office;

3  
4 (F) Such other items as the office by rule  
5 and regulation may reasonably require.

6  
7 (iv) Not more than ninety (90) days following  
8 completion and collection of the data and not later than  
9 December 31, all factual and interpretive data as required  
10 by this subsection shall be submitted to the office. The  
11 following shall apply:

12  
13 (A) All information shall be examined by  
14 the appropriate specialist in the office and a letter  
15 transmitted to the department of revenue either approving  
16 or denying the request for a tax credit. Any incomplete  
17 submission of data shall subject the application to denial;

18  
19 (B) Any submitted materials shall become  
20 the property of the state;

21  
22 (C) Any material submitted shall remain  
23 confidential until December 31 of the year following the  
24 year of the submission.

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(v) If the application for the tax credit is granted, the person obtaining the credit may apply the credit against the tax due under W.S. 39-14-704. In no event shall the credit taken against the severance tax due exceed the lesser of:

(A) Fifty percent (50%) of the person's total tax liability under W.S. 39-14-704 for the calendar year; or

(B) One hundred thousand dollars (\$100,000.00) for any one (1) calendar year of production.

(vi) The department of revenue shall promulgate reasonable rules and regulations for the implementation of this subsection;

(vii) The department of revenue and the Wyoming geological survey office shall report jointly on the results of the credit authorized by this subsection annually on or before November 1 to the governor and the legislature.

