

HOUSE BILL NO. HB0042

Sales and use tax-contractors as vendors.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to taxation and revenue; imposing a sales  
2 and use tax when a contractor is acting as a vendor; and  
3 providing for an effective date.

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

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7 **Section 1.** W.S. 39-15-303 by creating a new  
8 subsection (c) and 39-16-303 by creating a new subsection  
9 (c) are amended to read:

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11 **39-15-303. Imposition.**

12

13 (c) Contractors as vendors. The following shall  
14 apply:

15

16 (i) Contractors may act as retail merchants of  
17 building supplies or construction materials that were

1 purchased tax free for resale. Under those circumstances a  
2 contractor shall obtain a license to collect sales tax as a  
3 vendor as provided by W.S. 39-15-106;

4  
5 (ii) When the contractor contracts to bill  
6 material and labor separately, he shall charge sales tax on  
7 the price of all materials. When the contractor bills  
8 material and labor together, all supplies and materials  
9 shall be taxable to the contractor on the basis of the  
10 contractor's cost of the materials and supplies.

11  
12 **39-16-303. Imposition.**

13  
14 (c) Contractors as vendors. The following shall  
15 apply:

16  
17 (i) Contractors may act as retail merchants of  
18 building supplies or construction materials that were  
19 purchased tax free for resale. Under those circumstances a  
20 contractor shall obtain a license to collect use tax as a  
21 vendor as provided by W.S. 39-16-106;

22  
23 (ii) When the contractor contracts to bill  
24 material and labor separately, he shall charge use tax on

1 the price of all materials. When the contractor bills  
2 material and labor together, all supplies and materials  
3 shall be taxable to the contractor on the basis of the  
4 contractor's cost of the materials and supplies.

5

6 **Section 2.** This act is effective July 1, 2006.

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(END)