

HOUSE BILL NO. HB0118

Capital facilities sales tax.

Sponsored by: Representative(s) McOmie and Senator(s)
Hines

A BILL

for

1 AN ACT relating to local option sales taxes; requiring a
2 reserve fund for capital construction projects funded
3 through the special purpose tax; restricting use of reserve
4 fund; and providing for an effective date.

5

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

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8 **Section 1.** W.S. 39-15-203(a)(iii) by creating a new
9 subparagraph (H) is amended to read:

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11 **39-15-203. Imposition.**

12

13 (a) Taxable event. The following shall apply:

14

1 (iii) The following provisions apply to
2 imposition of the specific purpose excise tax under W.S.
3 39-15-204(a)(iii):

4
5 (H) If the purpose of the proposition is
6 financing a capital construction project, the proposition
7 shall provide that not less than three percent (3%) of the
8 project cost shall be used for the creation of a reserve
9 fund for the maintenance and repair of the buildings funded
10 under the project contained within the proposition. The
11 reserve fund amount shall be included within the amount
12 specified for the project in the proposition. No funds in
13 the reserve fund shall be used for major building and
14 facility repair or replacement prior to twelve (12) months
15 after completion of the project. For purposes of this
16 subparagraph "major building and facility repair or
17 replacement" means the repair or replacement of complete or
18 major portions of building and facility systems at
19 irregular intervals which is required to continue the use
20 of the building or facility at its original capacity, for
21 its original intended use, including for compliance with
22 the Americans with Disabilities Act, and including
23 installing fire suppression systems in residential
24 facilities and is typically accomplished by contractors due

1 to the personnel demand to accomplish the work in a timely
2 manner, the level of sophistication of the work or the need
3 for warranted work.

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5 **Section 2.** This act is effective July 1, 2007.

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(END)