HOUSE BILL NO. HB0319

Sales and use tax exemption-renewable resources.

Sponsored by: Representative(s) Anderson, R., Meyer and Throne and Senator(s) Coe and Vasey

A BILL

for

AN ACT relating to sales and use tax; delaying the repeal date for the sales and use tax exemptions for equipment used in the generation of renewable resources; requiring a report; and providing for an effective date.

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

Section 1. W.S. 39-15-105(a)(viii)(N) and 39-16-105(a)(viii)(C) are amended to read:

39-15-105. Exemptions.

(a) The following sales or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(N) Sales of equipment used to generate electricity from renewable resources. As used in this subparagraph, "renewable resources" includes wind generation, solar, biomass, landfill gas, hydro, nuclear power, hydrogen and geothermal energy. The exemption provided by this subparagraph shall be limited to the acquisition of equipment used in a project to make it operational up to the point of interconnection with an existing transmission grid including wind turbines, generating equipment, control and monitoring systems, power lines, substation equipment, lighting, fencing, pipes and other equipment for locating power lines and poles. The exemption shall not apply to tools and other equipment used in construction of a new facility, contracted services required for construction and routine maintenance activities and equipment utilized or acquired after the project is operational. This subparagraph is repealed effective June 30, ~~2008~~ 2012;

39-16-105. Exemptions.

(a) The following purchases or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(C) Sales of equipment used to generate electricity from renewable resources. As used in this subparagraph, "renewable resources" includes wind generation, solar, biomass, landfill gas, hydro, nuclear power, hydrogen and geothermal energy. The exemption provided by this subparagraph shall be limited to the acquisition of equipment used in a project to make it operational up to the point of interconnection with an existing transmission grid including wind turbines, generating equipment, control and monitoring systems, power lines, substation equipment, lighting, fencing, pipes and other equipment for locating power lines and poles. The exemption shall not apply to tools and other equipment used in construction of a new facility, contracted services required for construction and routine maintenance activities and equipment utilized or acquired after the

project is operational. This subparagraph is repealed effective June 30, ~~2008~~ 2012;

Section 2. The department of revenue shall report on or before September 1, 2009 to the governor and the joint revenue interim committee on the total fiscal impact of the exemptions granted by W.S. 39-15-105(a)(viii)(N) and 39-16-105(a)(viii)(C). The report shall include any recommendations for statutory changes.

Section 3. This act is effective July 1, 2007.

(END)