

HOUSE BILL NO. HB0089

Wyoming Legal Tender Act.

Sponsored by: Representative(s) Kroeker, Baker, Halverson,
Lindholm, Loucks, Miller and Winters and
Senator(s) Hicks

A BILL

for

1 AN ACT relating to administration of the government;
2 recognizing certain gold and silver coin as legal tender;
3 specifying that specie legal tender shall not be taxed as
4 specified; providing that the use of specie legal tender
5 shall be voluntary; providing definitions; and providing
6 for an effective date.

7

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

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10 **Section 1.** W.S. 9-4-1301 through 9-4-1306 are created
11 to read:

12

13

ARTICLE 13

14

WYOMING LEGAL TENDER ACT

15

1 **9-4-1301. Short title.**

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3 This article shall be known and may be cited as the
4 "Wyoming Legal Tender Act."

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6 **9-4-1302. Definitions.**

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8 (a) As used in this article:

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10 (i) "Legal tender" means an authorized medium of
11 exchange for the payment of debts and taxes;

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13 (ii) "Specie" means coin or bullion having gold
14 or silver content.

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16 **9-4-1303. Recognition of specie legal tender.**

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18 (a) Specie legal tender in Wyoming consists of:

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20 (i) Specie coin issued by the United States
21 government at any time;

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1 (ii) Any other specie which a court of competent
2 jurisdiction, by final and unappealable order, rules to be
3 within state authority to make or designate as legal
4 tender.

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6 **9-4-1304. Taxation issues related to legal tender.**

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8 (a) Legal tender including specie legal tender shall
9 not be characterized as personal property for taxation or
10 regulatory purposes.

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12 (b) The exchange of one (1) type or form of legal
13 tender for another form or type of legal tender shall not
14 give rise to any tax liability of any kind.

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16 (c) Any tax due resulting from any transaction
17 involving specie legal tender may be paid in like legal
18 tender, provided that the state of Wyoming may require
19 payment in an equivalent amount of United States legal
20 tender.

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22 **9-4-1305. Voluntary use of specie legal tender.**

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1 Unless expressly provided by statute or by contract, no
2 person shall have the right to compel any other person to
3 tender or to accept specie legal tender.

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5 **9-4-1306. Enforcement.**

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7 The attorney general shall enforce this act without
8 prejudice to any private right of action.

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10 **Section 2.** W.S. 39-11-105(a) by creating a new
11 paragraph (xlii) is amended to read:

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13 **39-11-105. Exemptions.**

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15 (a) The following property is exempt from property
16 taxation:

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18 (xlii) Specie currency to the extent provided in
19 W.S. 9-4-1304.

20

21 **Section 3.** This act is effective July 1, 2015.

22

23

(END)