

HOUSE BILL NO. HB0196

Transfer of mineral interests-tax obligations.

Sponsored by: Select Committee on Coal/Mineral Bankruptcies

A BILL

for

1 AN ACT relating to mines and minerals; requiring mineral
2 producers to make certifications related to taxes prior to
3 transfer to another producer; specifying applicability; and
4 providing for an effective date.

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

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8 **Section 1.** W.S. 30-5-104 by creating a new subsection
9 (f) and 35-11-408 are amended to read:

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11 **30-5-104. Oil and gas conservation commission; powers
12 and duties; investigations; rules and regulations.**

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14 (f) The commission shall require that before the sale
15 or transfer of oil mining operations from one producer to
16 another, the current producer shall first certify to the

1 commission that payment of all state and local taxes
2 related to the operation of the well or wells is current or
3 will be made current at the time of the sale or transfer or
4 at a later date with the consent of the applicable taxing
5 authorities.

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7 **35-11-408. Permit transfer.**

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9 A permit holder desiring to transfer his permit shall apply
10 to the administrator. The potential transferee shall file
11 with the administrator a statement of qualifications to
12 hold a permit as though he were the original applicant for
13 the permit and shall further agree to be bound by all of
14 the terms and conditions of the original permit. The
15 administrator shall recommend approval or denial of the
16 transfer to the director. No transfer of a permit will be
17 allowed if the current permit holder is in violation of
18 this act, unless the transferee agrees to bring the permit
19 into compliance with the provisions of this act. Before any
20 transfer under this section, the permit holder shall
21 certify that payment of all state and local taxes related
22 to the mining operation is current or will be made current

1 at the time of the sale or transfer or at a later date with
2 the consent of the applicable taxing authorities.

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4 **Section 2.** The amendments to W.S. 30-5-104 and
5 35-11-408 under section 1 of this act shall apply to
6 applications for sale or transfer made on or after the
7 effective date of this act.

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9 **Section 3.** This act is effective July 1, 2020.

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(END)