

## HOUSE BILL NO. HB0105

Insurance payments-not taxable.

Sponsored by: Representative(s) Slagle, Allemand, Andrew, Banks, Bear, Davis, Haroldson, Heiner, Hornok, Jennings, Penn and Smith and Senator(s) Hutchings and Ide

A BILL

for

1 AN ACT relating to taxation and revenue; exempting  
2 insurance damage settlement payments from sales and use  
3 taxation; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 39-15-105(a)(ix)(A), (B) and by  
8 creating a new subparagraph (C) and 39-16-105(a)(x)(A), (B)  
9 and by creating a new subparagraph (C) are amended to read:

10

11 **39-15-105. Exemptions.**

12

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

1

2 (ix) For the purpose of avoiding application of  
3 the sales tax more than once on the same article of  
4 tangible property for the same taxpayer:

5

6 (A) The trade-in value of tangible personal  
7 property shall be excluded from the sales price of new  
8 tangible personal property when trade-in and purchase occur  
9 in one (1) transaction;~~and~~

10

11 (B) The sales price paid for a motor  
12 vehicle, house trailer, trailer coach, trailer or  
13 semitrailer as defined in W.S. 31-1-101 if the vehicle is  
14 purchased by a nonresident of Wyoming and the vehicle is to  
15 be removed from the state of Wyoming within thirty (30)  
16 days of purchase. The purchaser shall declare under  
17 penalty of perjury on a form prescribed by the department  
18 that he is not a resident of Wyoming;~~and~~ and

19

20 (C) The amount of insurance payments used  
21 to purchase motor vehicles, house trailers, trailer  
22 coaches, trailers or semitrailers shall be excluded from  
23 the sale price of those items to the extent the owner's

1 previous motor vehicle, house trailer, trailer coach,  
2 trailer or semitrailer was acquired by an insurance company  
3 pursuant to a damage settlement and the insurance payment  
4 was used within ninety (90) days of receiving the payment  
5 to purchase another motor vehicle, house trailer, trailer  
6 coach, trailer or semitrailer for which sales tax is due.

7

8 **39-16-105. Exemptions.**

9

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

12

13 (x) For the purpose of avoiding application of  
14 the use tax more than once on the same article of tangible  
15 property for the same taxpayer:

16

17 (A) The trade-in value of tangible personal  
18 property shall be excluded from the sales price of new  
19 tangible personal property when trade-in and purchase occur  
20 in one (1) transaction; ~~and~~

21

22 (B) The purchase price paid for a motor  
23 vehicle, house trailer, trailer coach, trailer or

1 semitrailer as defined in W.S. 31-1-101 if the vehicle is  
2 purchased by a nonresident of Wyoming and the vehicle is to  
3 be removed from the state of Wyoming within thirty (30)  
4 days of purchase. The purchaser shall declare under  
5 penalty of perjury on a form prescribed by the department  
6 that he is not a resident of Wyoming;~~;~~ and

7

8 (C) The amount of insurance payments used  
9 to purchase motor vehicles, house trailers, trailer  
10 coaches, trailers or semitrailers shall be excluded from  
11 the sale price of those items to the extent the owner's  
12 previous motor vehicle, house trailer, trailer coach,  
13 trailer or semitrailer was acquired by an insurance company  
14 pursuant to a damage settlement and the insurance payment  
15 was used within ninety (90) days of receiving the payment  
16 to purchase another motor vehicle, house trailer, trailer  
17 coach, trailer or semitrailer for which sales tax is due.

18

19 **Section 2.** This act is effective July 1, 2024.

20

21

(END)