

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Manufacturing tax exemption.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to taxation and revenue; extending the
2 sales and use tax exemption for manufacturing equipment as
3 specified; amending related reporting requirements; and
4 providing for an effective date.

5

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

7

8 **Section 1.** W.S. 39-15-105(a)(viii)(O)(intro) and
9 39-16-105(a)(viii)(D)(intro) 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:

15

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

19

1 (O) Until December 31, ~~2011~~ 2016, the sale
2 or lease of machinery to be used in this state directly and
3 predominantly in manufacturing tangible personal property,
4 if the sale or lease:

5
6 (I) Is to a manufacturer classified by
7 the department under the NAICS code manufacturing sector
8 31 - 33; and

9
10 (II) Does not include noncapitalized
11 machinery except machinery expensed in accordance with
12 section 179 of the Internal Revenue Code.

13
14 (III) Repealed By Laws 2010, Ch. 33, §
15 2.

16
17 **39-16-105. Exemptions.**

18
19 (a) The following purchases or leases are exempt from
20 the excise tax imposed by this article:

21
22 (viii) For the purpose of exempting sales of
23 services and tangible personal property as an economic
24 incentive, the following are exempt:

25
26 (D) Until December 31, ~~2011~~ 2016, the
27 purchase or lease of machinery to be used in this state
28 directly and predominantly in manufacturing tangible
29 personal property, if the sale or lease:

30
31 (I) Is to a manufacturer classified by
32 the department under the NAICS code manufacturing sector
33 31 - 33; and

34
35 (II) Does not include noncapitalized
36 machinery except machinery expensed in accordance with
37 section 179 of the Internal Revenue Code.

38
39 (III) Repealed By Laws 2010, Ch. 33, §
40 2.

41
42 **Section 2.** 2004 Wyoming Session Laws chapter 27,
43 section 2 is amended to read:

44
45 **"Section 2.**

46

1 (a) The Wyoming business council, the department of
2 employment and the department of revenue shall jointly
3 report on or before December 1 of each year the exemption
4 provided by this act is in effect to the joint minerals,
5 business and economic development interim committee and the
6 joint revenue interim committee. The report shall evaluate
7 the cumulative effects of the exemption from initiation of
8 the exemption and shall include:

9
10 (i) A history of employment in terms of numbers
11 of employees, full-time and part-time employees, and rate
12 of turnover classified by the North American Industry
13 Classification System (NAICS) code manufacturing sector 31
14 - 33 from information collected by the department of
15 employment;

16
17 (ii) A history of wages and benefits
18 disaggregated by gender for each job category;

19
20 (iii) A comprehensive history of taxes paid to
21 the state of Wyoming."

22
23 **Section 3.** This act is effective July 1, 2011.

24
25 (END)