

1 Delete the Geringer committee of the whole amendment  
2 (SF0069HW001/AE) entirely and further amend as  
3 follows:  
4

5 Page 1-line 2 After "exemption;" insert "providing a sales  
6 and use tax to provide funding to local  
7 governments due to the decrease in revenue  
8 from the property tax exemption;"; delete  
9 "providing".  
10

11 Page 1-line 3 Delete "a sunset date;".  
12

13 Page 1-line 8 Delete "is" and insert ", 39-15-104 by  
14 creating a new subsection (j),  
15 39-15-111(b)(intro) and by creating a new  
16 subsection (r), 39-16-104 by creating a new  
17 subsection (g) and 39-16-111(b)(intro) are".  
18

19 Page 2-line 10 After "land." insert "The amount of the  
20 exemption under this subparagraph shall be  
21 inflated on an annual basis beginning in tax  
22 year 2027 from one million dollars  
23 (\$1,000,000.00) by the rate of inflation  
24 determined by the department using the  
25 consumer price index or its successor index of  
26 the United States department of labor, bureau  
27 of labor statistics or two percent (2%),  
28 whichever is less.".  
29

30 Page 2-lines 22 and 23 Delete entirely and renumber as  
31 necessary.  
32

33 Page 3-line 2 Delete "(D)" and insert "(C)".  
34

35 Page 3-after line 5 Insert:  
36

37 **"39-15-104. Taxation rate.**  
38

39 (j) In addition to the sales tax under subsections (a) and  
40 (b) of this section, and subject to the provisions of W.S.  
41 39-15-111(r)(ii), beginning July 1, 2025 there is imposed an  
42 additional sales tax as provided in this subsection. The additional  
43 sales tax imposed under this subsection shall not apply to sales  
44 to industrial facilities as defined by W.S. 35-12-102(a)(vii) that

1 are subject to permitting by the industrial siting council under  
2 W.S. 35-12-101 through 35-12-119 during the period of permitting  
3 and construction of the industrial facility. The revenue from the  
4 tax under this subsection shall be distributed as provided in W.S.  
5 39-15-111(r). The rate of the sales tax under this subsection shall  
6 be determined as follows:

7  
8 (i) Except as provided in paragraph (ii) or (iii) of  
9 this subsection, the rate of the additional tax shall be ninety-  
10 two hundredths percent (0.92%), which shall be administered as if  
11 the sales tax rate under subsections (a) and (b) of this section  
12 was increased from four percent (4%) to four and ninety-two  
13 hundredths percent (4.92%);

14  
15 (ii) The additional rate specified under paragraph (i)  
16 of this subsection may be reduced in intervals of one quarter of  
17 one percent (0.25%) if the governor certifies to the department  
18 that the amount of the tax together with funds in the property tax  
19 reduction and replacement account are sufficient to provide all  
20 payments under W.S. 39-15-111(r)(i);

21  
22 (iii) The additional rate specified under paragraph (i)  
23 of this subsection shall be reduced by the department to zero  
24 percent (0%) effective on July 1 if for any reason the exemption  
25 under W.S. 39-11-105(a)(xlvi) is unavailable for that tax year.

26  
27 **39-15-111. Distribution.**

28  
29 (b) Revenues earned under W.S. 39-15-104 during each fiscal  
30 year shall be recognized as revenue during that fiscal year for  
31 accounting purposes. Except as otherwise provided in subsection  
32 subsections (p) and (r) of this section, for all revenue collected  
33 by the department under W.S. 39-15-104 the department shall:

34  
35 (r) An amount equal to the tax revenue collected that is  
36 attributable to the tax under W.S. 39-15-104(j) and 39-16-104(g)  
37 shall be transferred to the property tax reduction and replacement  
38 account, which is hereby created. All funds within the account  
39 shall be invested by the state treasurer as provided by law and  
40 all investment earnings from the account shall be credited to the  
41 account. An amount in the account equal to the tax revenue  
42 collected that is attributable to the tax under W.S. 39-15-104(j)  
43 and 39-16-104(g) from July 1 of each year through June 30 of the  
44 following year shall be distributed as follows:

45  
46 (i) An amount determined under this paragraph to each  
47 county, to be distributed by county treasurers in the same manner

1 property taxes are distributed as provided in W.S.  
2 39-13-111(a)(i). On or before September 1, county treasurers shall  
3 certify to the department the exemptions granted under W.S.  
4 39-11-105(a)(xlvi). The amount calculated for each county shall be  
5 determined and distributed not later than June 30 of each year  
6 based on the amount of revenue that the county and each  
7 governmental entity within the county lost in the immediately  
8 preceding tax year as a result of the property tax exemption under  
9 W.S. 39-11-105(a)(xlvi). If the amount available to distribute  
10 under this subsection is insufficient to fully reimburse each  
11 county and governmental entity in the county as provided in this  
12 paragraph, the amount provided to each county shall be  
13 proportionally reduced based on the amount of revenue available.  
14 Beginning January 1, 2026, the amount calculated for a county under  
15 this paragraph shall not include any amount for mills that are  
16 assessed for the repayment of bonds;

17  
18 (ii) Any amount remaining after the distributions in  
19 paragraph (i) of this subsection shall remain in the property tax  
20 reduction and replacement account. The legislature shall annually  
21 review the amounts in the account and shall consider using any  
22 funds in the account for direct distributions to local governments.

23  
24 **39-16-104. Taxation rate.**

25  
26 (g) In addition to the use tax under subsections (a) and (b)  
27 of this section, and subject to the provisions of W.S.  
28 39-15-111(r), beginning July 1, 2025 there is imposed an additional  
29 use tax as provided in this subsection. The additional use tax  
30 imposed under this subsection shall not apply to purchases by  
31 industrial facilities as defined by W.S. 35-12-102(a)(vii) that  
32 are subject to permitting by the industrial siting council under  
33 W.S. 35-12-101 through 35-12-119 during the period of permitting  
34 and construction of the industrial facility. The revenue from the  
35 tax under this subsection shall be distributed as provided in W.S.  
36 39-15-111(r). The rate of the use tax under this subsection shall  
37 be determined as follows:

38  
39 (i) Except as provided in paragraph (ii) or (iii) of  
40 this subsection, the rate of the additional tax shall be ninety-  
41 two hundredths percent (0.92%), which shall be administered as if  
42 the use tax rate under subsections (a) and (b) of this section was  
43 increased from four percent (4%) to four and ninety-two hundredths  
44 percent (4.92%);

45  
46 (ii) The additional rate specified under paragraph (i)  
47 of this subsection may be reduced in intervals of one quarter of

1 one percent (0.25%) if the governor certifies to the department  
2 that the amount of the tax together with funds in the property tax  
3 reduction and replacement account are sufficient to provide all  
4 payments under W.S. 39-15-111(r)(i);  
5

6 (iii) The additional rate specified under paragraph (i)  
7 of this subsection shall be reduced by the department to zero  
8 percent (0%) effective on July 1 if for any reason the exemption  
9 under W.S. 39-11-105(a)(xlvi) is unavailable for that tax year.

10  
11 **39-16-111. Distribution.**  
12

13 (b) Revenues earned under this article during each fiscal  
14 year shall be recognized as revenue during that fiscal year for  
15 accounting purposes. Except as provided in W.S. 39-15-111(r) for  
16 revenue attributable to the tax under W.S. 39-16-104(g), revenue  
17 collected by the department from the taxes imposed by this article  
18 shall be transferred to the state treasurer who shall, as specified  
19 by the department:". HARSHMAN  
20