

1 Delete the Geringer committee of the whole amendment
2 (SF0069HW001/AE) and the first Harshman
3 committee of the whole amendment
4 (SF0069HW002/AE) entirely and further amend as
5 follows:
6

7 Page 1-line 2 After "exemption;" insert "providing a sales
8 and use tax to provide funding to local
9 governments due to the decrease in revenue
10 from the property tax exemption;" delete
11 "providing".
12

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

14
15 Page 1-line 8 Delete "is" and insert ", 39-15-104 by
16 creating a new subsection (j),
17 39-15-111(b)(intro) and by creating a new
18 subsection (r), 39-16-104 by creating a new
19 subsection (g) and 39-16-111(b)(intro) are".
20

21 Page 2-line 8 Delete "one million dollars (\$1,000,000.00)"
22 and insert "six hundred thousand dollars
23 (\$600,000.00)".
24

25 Page 2-line 10 After "land." insert "The amount of the
26 exemption under this subparagraph shall be
27 inflated on an annual basis beginning in tax
28 year 2027 from six hundred thousand dollars
29 (\$600,000.00) by the rate of inflation
30 determined by the department using the
31 consumer price index or its successor index of
32 the United States department of labor, bureau
33 of labor statistics or two percent (2%),
34 whichever is less.".
35

36 Page 2-lines 22 and 23 Delete entirely and renumber as
37 necessary.
38

39 Page 3-line 2 Delete "(D)" and insert "(C)".
40

41 Page 3-after line 5 Insert:
42

43 "39-15-104. Taxation rate."
44

1 (j) In addition to the sales tax under subsections (a) and
2 (b) of this section, and subject to the provisions of W.S.
3 39-15-111(r)(ii), beginning July 1, 2025 there is imposed an
4 additional sales tax as provided in this subsection. The additional
5 sales tax imposed under this subsection shall not apply to sales
6 to industrial facilities as defined by W.S. 35-12-102(a)(vii) that
7 are subject to permitting by the industrial siting council under
8 W.S. 35-12-101 through 35-12-119 during the period of permitting
9 and construction of the industrial facility. The revenue from the
10 tax under this subsection shall be distributed as provided in W.S.
11 39-15-111(r). The rate of the sales tax under this subsection shall
12 be determined as follows:

13
14 (i) Except as provided in paragraph (ii) or (iii) of
15 this subsection, the rate of the additional tax shall be eighty-
16 three hundredths percent (0.83%), which shall be administered as
17 if the sales tax rate under subsections (a) and (b) of this section
18 was increased from four percent (4%) to four and eighty-three
19 hundredths percent (4.83%);

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

27
28 (iii) The additional rate specified under paragraph (i)
29 of this subsection shall be reduced by the department to zero
30 percent (0%) effective on July 1 if for any reason the exemption
31 under W.S. 39-11-105(a)(xlvi) is unavailable for that tax year.

32
33 **39-15-111. Distribution.**

34
35 (b) Revenues earned under W.S. 39-15-104 during each fiscal
36 year shall be recognized as revenue during that fiscal year for
37 accounting purposes. Except as otherwise provided in subsection
38 subsections (p) and (r) of this section, for all revenue collected
39 by the department under W.S. 39-15-104 the department shall:

40
41 (r) An amount equal to the tax revenue collected that is
42 attributable to the tax under W.S. 39-15-104(j) and 39-16-104(g)
43 shall be transferred to the property tax reduction and replacement
44 account, which is hereby created. All funds within the account
45 shall be invested by the state treasurer as provided by law and
46 all investment earnings from the account shall be credited to the
47 account. An amount in the account equal to the tax revenue

1 collected that is attributable to the tax under W.S. 39-15-104(j)
2 and 39-16-104(g) from July 1 of each year through June 30 of the
3 following year shall be distributed as follows:
4

5 (i) An amount determined under this paragraph to each
6 county, to be distributed by county treasurers in the same manner
7 property taxes are distributed as provided in W.S.
8 39-13-111(a)(i). On or before September 1, county treasurers shall
9 certify to the department the exemptions granted under W.S.
10 39-11-105(a)(xlvi). The amount calculated for each county shall be
11 determined and distributed not later than June 30 of each year
12 based on the amount of revenue that the county and each
13 governmental entity within the county lost in the immediately
14 preceding tax year as a result of the property tax exemption under
15 W.S. 39-11-105(a)(xlvi). If the amount available to distribute
16 under this subsection is insufficient to fully reimburse each
17 county and governmental entity in the county as provided in this
18 paragraph, the amount provided to each county shall be
19 proportionally reduced based on the amount of revenue available.
20 Beginning January 1, 2026, the amount calculated for a county under
21 this paragraph shall not include any amount for mills that are
22 assessed for the repayment of bonds;
23

24 (ii) Any amount remaining after the distributions in
25 paragraph (i) of this subsection shall remain in the property tax
26 reduction and replacement account. The legislature shall annually
27 review the amounts in the account and shall consider using any
28 funds in the account for direct distributions to local governments.
29

30 **39-16-104. Taxation rate.**
31

32 (g) In addition to the use tax under subsections (a) and (b)
33 of this section, and subject to the provisions of W.S.
34 39-15-111(r), beginning July 1, 2025 there is imposed an additional
35 use tax as provided in this subsection. The additional use tax
36 imposed under this subsection shall not apply to purchases by
37 industrial facilities as defined by W.S. 35-12-102(a)(vii) that
38 are subject to permitting by the industrial siting council under
39 W.S. 35-12-101 through 35-12-119 during the period of permitting
40 and construction of the industrial facility. The revenue from the
41 tax under this subsection shall be distributed as provided in W.S.
42 39-15-111(r). The rate of the use tax under this subsection shall
43 be determined as follows:
44

45 (i) Except as provided in paragraph (ii) or (iii) of
46 this subsection, the rate of the additional tax shall be eighty-
47 three hundredths percent (0.83%), which shall be administered as

1 if the use tax rate under subsections (a) and (b) of this section
2 was increased from four percent (4%) to four and eighty-three
3 hundredths percent (4.83%);
4

5 (ii) The additional rate specified under paragraph (i)
6 of this subsection may be reduced in intervals of one quarter of
7 one percent (0.25%) if the governor certifies to the department
8 that the amount of the tax together with funds in the property tax
9 reduction and replacement account are sufficient to provide all
10 payments under W.S. 39-15-111(r)(i);
11

12 (iii) The additional rate specified under paragraph (i)
13 of this subsection shall be reduced by the department to zero
14 percent (0%) effective on July 1 if for any reason the exemption
15 under W.S. 39-11-105(a)(xlvi) is unavailable for that tax year.
16

17 **39-16-111. Distribution.**
18

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