

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Amortization of sales and use tax.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to sales and use taxes; providing for
2 amortized payments of sales and use taxes for projects with
3 specified expenditures; providing for distribution of
4 payments; and 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. 39-15-107(b) by creating a new
9 paragraph (xii), 39-15-111 by creating a new subsection
10 (r), 39-16-107(b) by creating a new paragraph (x) and
11 39-16-111 by creating a new subsection (p) are amended to
12 read:

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39-15-107. Compliance; collection procedures.

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(b) Payment. The following shall apply:

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(xii) If on or after July 1, 2025 any taxpayer

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develops a project to be completed in Wyoming that is

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reasonably anticipated to have expenditures subject to

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Wyoming sales and use tax over the first two (2) years of

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construction and operation of the project in excess of five

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million dollars (\$5,000,000.00), the taxpayer may apply to

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the department to amortize the sales taxes imposed under

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W.S. 39-15-104 and transferred under W.S. 39-15-111(b)(i)

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and (ii) and the use taxes imposed under W.S. 39-16-104 and

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transferred under W.S. 39-16-111(b)(i) and (ii) over the

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expected life of the project not to exceed a period of ten

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(10) years. The department shall establish amortization

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schedules, fees, terms and conditions for the taxes for

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each project that is approved for amortization under this

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paragraph. Interest rates for amortized taxes under this

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paragraph shall be established by the department to account

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for inflation during the term of amortization. The

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department shall establish and publish not less than once

1 annually fixed terms, fees and rates that are available for
2 taxpayers to amortize the sales and use taxes as provided
3 by this paragraph. Before approving an amortization
4 agreement with a taxpayer under this paragraph, the
5 taxpayer shall have a direct payment permit issued under
6 W.S. 39-15-107.1. The amortization agreement shall include
7 a lien upon the property of the project for which sales and
8 use taxes are amortized under this paragraph. The lien
9 shall be paramount and superior to any other lien or
10 encumbrance created before or after. A failure to pay
11 pursuant to the terms and conditions established by the
12 department shall subject the taxpayer to all enforcement
13 provisions under this article. The department shall adopt
14 rules necessary to administer the amortization program
15 under this paragraph including requiring full payment of
16 any outstanding amount of payments within thirty (30) days
17 if the taxpayer discontinues his business or discontinues
18 the project. If a taxpayer is approved for amortization of
19 sales and use tax payments under this paragraph, no vendor
20 shall be liable for returns, reports or payment of taxes
21 related to the applicable project under this section. As
22 used in this paragraph, "project" means any land, building
23 or other improvement and all real and personal property

1 including machinery and equipment that results in an
2 increase to the assessed valuation of the county or
3 counties in which the project will be located, that creates
4 employment opportunities within the state or that otherwise
5 adds economic value to goods, services or resources within
6 the state.

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8 **39-15-111. Distribution.**

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10 (r) Revenues from amortized sales tax payments made
11 for a project that is approved for amortized payments under
12 W.S. 39-15-107(b)(xii) shall be distributed in accordance
13 with subsection (b) of this section.

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15 **39-16-107. Compliance; collection procedures.**

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17 (b) Payment. The following shall apply:

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19 (x) Payments of use taxes that are for a project
20 that has been approved for amortized use taxes under W.S.
21 39-15-107(b)(xii) shall be made in accordance with the
22 amortization schedule, terms and conditions established for

1 the amortized use tax payments by the department pursuant
2 to W.S. 39-15-107(b)(xii).

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4 **39-16-111. Distribution.**

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6 (p) Revenues from amortized use tax payments made for
7 a project that is approved for amortized payments as
8 provided in W.S. 39-16-107(b)(x) shall be distributed in
9 accordance with subsection (b) of this section.

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11 **Section 2.** This act is effective July 1, 2025.

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13

(END)