

HOUSE BILL NO. HB0034

Property tax relief program amendments.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to taxation and revenue; amending the
2 property tax relief program as specified; providing an
3 appropriation; and providing for an effective date.

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

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7 **Section 1.** W.S. 39-13-109(c)(iii)(A), (B)(intro), by
8 creating new subdivisions (VII) through (XI), by creating a
9 new subparagraph (C) and by renumbering (C) through (F) as
10 (D) through (G) is amended to read:

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12 **39-13-109. Taxpayer remedies.**

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14 (c) Refunds. The following shall apply:

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16 (iii) The following shall apply to the property
17 tax relief program:

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(A) On or before the ~~second~~first Monday in ~~May~~June, upon the filing of an affidavit demonstrating an adequate showing that he is qualified under subparagraph (B) of this paragraph, any person may apply to the ~~county treasurer~~department of revenue for a property tax refund from property taxes timely paid for the preceding calendar year upon his principal residence including the land upon which the residence is located. ~~not to exceed two (2) acres~~
An applicant shall have been a resident of this state for not less than ten (10) years prior to applying for a refund under this paragraph. Subject to legislative appropriation, the affidavit shall include information as required by rule and regulation on a form approved by the department of revenue. The tax relief granted shall be as provided by subparagraph ~~(B)~~(C) of this paragraph;

(B) Gross income as used in this subparagraph shall be defined by the department through rules and regulations and shall include, at minimum, all sources of taxable and nontaxable income of members of the household and all taxable entities controlled by members of the household. Such gross income shall be verified by federal income tax returns which shall accompany the

1 application for refund, if federal income tax returns were
2 required and filed, or whatever other means necessary as
3 determined by the department through rules and regulations.
4 The tax relief for qualifying persons shall be in the form
5 of a refund of any ad valorem tax due and timely paid upon
6 the person's principal residence for the preceding calendar
7 year in the amount specified in this paragraph. The ~~county~~
8 ~~treasurer~~ department shall issue all refunds due under this
9 paragraph on or before ~~August 31~~ September 30 of the year
10 in which application is made for the refund. Any person
11 shall qualify for a refund in the amount specified under
12 this paragraph if the person's gross income including the
13 total household income of which the person is a member, ~~as~~
14 ~~a percentage of the federal poverty level as adjusted for~~
15 ~~family size, and as adjusted annually by the comparative~~
16 ~~cost-of-living index for the respective county as~~
17 ~~determined by the division of economic analysis, department~~
18 ~~of administration and information, is as follows~~ does not
19 exceed one-half (1/2) of the median household income for
20 the applicant's county of residence as determined annually
21 by the economic analysis division of the department of
22 administration and information. Additionally, no person
23 shall qualify for a refund under this paragraph unless the
24 person has total household assets as defined by the

1 department of revenue through rules and regulations of not
2 to exceed five thousand dollars (\$5,000.00) as adjusted
3 annually by the statewide average Wyoming cost-of-living
4 index published by the economic analysis division of the
5 department of administration and information, excluding the
6 following:

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8 (VII) The value of the home for which
9 the taxpayer is seeking relief;

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11 (VIII) One (1) personal motor vehicle
12 per adult in the household;

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14 (IX) Household furnishings and
15 personal property;

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17 (X) Assets held under a bona fide
18 pension plan or individual retirement account (IRA);

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20 (XI) The cash value of any life
21 insurance policies held.

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23 (C) A refund granted under this paragraph
24 shall not exceed one-half (1/2) of the applicant's prior

1 year's property tax, but in no instance shall the amount of
2 refund exceed one-half (1/2) of the median residential
3 property tax liability for the applicant's county of
4 residence as determined annually by the department of
5 revenue.

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7 ~~(C)~~ (D) Nothing in this paragraph shall be
8 construed to prohibit or affect requirements for property
9 to be listed, valued and assessed by the county assessor
10 pursuant to law. Each year the county shall publicize in a
11 manner reasonably designed to notify all residents of the
12 county the provisions of this paragraph and the method by
13 which eligible persons may obtain a refund;

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15 ~~(D)~~ (E) The department shall promulgate
16 rules and regulations necessary to implement this
17 paragraph;

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19 ~~(E)~~ (F) Any refund as provided by this
20 paragraph shall be reduced by the dollar amount received by
21 the person applying for the refund for the preceding
22 calendar year of any exemption received for veterans under
23 W.S. 39-13-105, any home owner's tax credit under paragraph

1 (d)(i) of this section, or any property tax deferral under
2 W.S. 39-13-107(b)(iii);

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4 ~~(F)~~(G) This paragraph is repealed January
5 1, 2008.

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7 **Section 2.** W.S. 39-13-109(c)(iii)(I) through (VI) is
8 repealed.

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10 **Section 3.** There is appropriated not to exceed three
11 hundred thousand dollars (\$300,000.00) from the general
12 fund to the department of revenue for the purposes of this
13 act.

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15 **Section 4.** This act is effective January 1, 2004.

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(END)