

HOUSE BILL NO. HB0272

Coal beneficiation facilities-tax exemptions.

Sponsored by: Representative(s) Edwards and Lockhart and
Senator(s) Anderson, J.

A BILL

for

1 AN ACT relating to taxation and revenue; creating a sales
2 and use tax exemption for new coal gasification or coal
3 liquefaction facilities as specified; providing for annual
4 reports; and 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) by creating a new
9 subparagraph (P) and 39-16-105(a)(viii) by creating a new
10 subparagraph (E) are amended to read:

11

12 **39-15-105. Exemptions.**

13

14 (a) The following sales or leases are exempt from the
15 excise tax imposed by this article:

16

1 (viii) For the purpose of exempting sales of
2 services and tangible personal property as an economic
3 incentive, the following are exempt:

4
5 (P) The sale of equipment used to construct
6 a new coal gasification or coal liquefaction facility. The
7 exemption provided by this subparagraph shall be limited to
8 the acquisition of equipment used in a project to make it
9 operational. The exemption shall not apply to tools and
10 other equipment used in construction of a new facility,
11 contracted services required for construction and routine
12 maintenance activities and equipment utilized or acquired
13 after the facility is operational.

14
15 **39-16-105. Exemptions.**

16
17 (a) The following purchases or leases are exempt from
18 the excise tax imposed by this article:

19
20 (viii) For the purpose of exempting sales of
21 services and tangible personal property as an economic
22 incentive, the following are exempt:

23

1 (E) The purchase of equipment used to
2 construct a new coal gasification or coal liquefaction
3 facility. The exemption provided by this subparagraph
4 shall be limited to the acquisition of equipment used in a
5 project to make it operational. The exemption shall not
6 apply to tools and other equipment used in construction of
7 a new facility, contracted services required for
8 construction and routine maintenance activities and
9 equipment utilized or acquired after the facility is
10 operational.

11
12 **Section 2.**

13
14 (a) The Wyoming business council and the department
15 of revenue shall jointly report on or before December 1 of
16 each year the exemption provided by this act is in effect
17 to the joint minerals, business and economic development
18 interim committee and the joint revenue interim committee.
19 The report shall evaluate the cumulative effects of the
20 exemption from initiation of the exemption and shall
21 include:

22
23 (i) A history of employment in the coal
24 gasification and coal liquefaction industry in terms of

1 numbers of employees, full-time and part-time employees,
2 and rate of turnover;

3

4 (ii) A history of wages and benefits
5 disaggregated by gender for each job category; and

6

7 (iii) A comprehensive history of taxes paid to
8 the state of Wyoming by companies in the coal gasification
9 and coal liquefaction industry.

10

11 **Section 3.** This act is effective July 1, 2005.

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(END)