

SENATE FILE NO. SF0032

Intangible property-taxation.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to taxation and revenue; providing for the  
2 taxation of intangible property as specified; providing for  
3 rules and regulations; requiring a report; specifying  
4 applicability; 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. 39-13-103 by creating a new  
9 subsection (d) is amended to read:

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11 **39-13-103. Imposition.**

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13 (d) A percentage of the unitary value representing  
14 the value of intangible personal property typical for the  
15 industry group shall be removed from the unitary value  
16 established by the department for property described in  
17 W.S. 39-3-102(m). The following shall apply:

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(i) The department shall promulgate rules necessary to gather information from and to establish percentages of intangible personal property deductions for each of the following industry groups:

(A) Airlines;

(B) Major telecommunications companies including long distance and local exchange telecommunications companies;

(C) Rural telecommunications companies;

(D) Cellular telecommunications companies;

(E) Reseller telecommunications companies;

(F) Major electric utilities;

(G) Rural electric utilities;

(H) Municipal electric utilities;

1 (J) Gas distribution companies;

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3 (K) Liquid pipeline companies;

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5 (M) Natural gas pipeline companies;

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7 (N) Railroad companies.

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9 (ii) The department shall gather information  
10 from each industry from the taxpayer's or parent company's:

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12 (A) Books and records;

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14 (B) Reports filed with any state or federal  
15 regulatory agency;

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17 (C) Federal income tax returns; or

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19 (D) Other documentation as accepted by the  
20 department.

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22 (iii) The department shall gather such  
23 information beginning in 2006, and the percentages  
24 established by the department for the intangible personal

1 property deduction shall be utilized to value the property  
2 as provided by this subsection. Once established, the  
3 deduction percentage for each industry group specified in  
4 paragraph (i) of this subsection shall be applied to each  
5 taxpayer's unitary valuation determined by the department;

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7 (iv) If any taxpayer believes that the value of  
8 its intangible personal property is greater than that  
9 allowed under the minimum percentage, the taxpayer may  
10 propose alternative methodology or information at any time  
11 during the appraisal process and the department shall give  
12 the proposal full and fair consideration. If the  
13 department concludes that the value of the intangible  
14 personal property is greater than that allowed in the  
15 minimum percentage, the unit value shall be decreased  
16 accordingly.

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18 **Section 2.** The department shall report to the  
19 governor and the joint revenue interim committee not later  
20 than December 10, 2008 reviewing the effectiveness of the  
21 procedures outlined including any recommended statutory  
22 changes. The legislature shall consider the report and may  
23 offer appropriate legislation based upon a fair assessment  
24 of the report and its substance.

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2       **Section 3.** This act is effective January 1, 2007.

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(END)