

HOUSE BILL NO. HB0138

Property tax refund program.

Sponsored by: Representative(s) Madden, Anderson, R.,
Landon and Teeters and Senator(s) Schiffer

A BILL

for

1 AN ACT relating to taxation and revenue; providing
2 amendments to the property tax refund program; repealing
3 the provision requiring a reduction of the refund by
4 amounts received from certain programs; providing
5 applicability; and providing for an effective date.

6

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

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9 **Section 1.** W.S. 39-13-109(c)(iv)(A), (B)(intro), (IV)
10 and by creating a new subdivision (VI) 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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1 (iv) The following shall apply to the property
2 tax refund program:

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4 (A) On or before the first Monday in June,
5 upon the filing of an affidavit demonstrating an adequate
6 showing that he is qualified under subparagraph (B) or (C)
7 of this paragraph, any person may apply to the county
8 treasurer or department of revenue for a property tax
9 refund from property taxes ~~timely~~ paid on or before the
10 first Monday in June for the preceding calendar year upon
11 his principal residence including the land upon which the
12 residence is located. An applicant shall have been a
13 resident of this state for not less than five (5) years
14 prior to applying for a refund under this paragraph.
15 Subject to legislative appropriation, the affidavit shall
16 include information as required by rule and regulation on a
17 form approved by the department of revenue. The tax refund
18 granted shall be as provided by subparagraph (C) of this
19 paragraph;

20
21 (B) Gross income as used in this
22 subparagraph shall be defined by the department through
23 rules and regulations. Such gross income shall be verified
24 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 refund 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
8 department shall issue all refunds due under this paragraph
9 on or before September 30 of the year in which application
10 is made for the refund. Any person shall qualify for a
11 refund in the amount specified under this paragraph if the
12 person's gross income including the total household income
13 of which the person is a member does not exceed the greater
14 of ~~two thirds (2/3)~~ three-fourths (3/4) of the median gross
15 household income for the applicant's county of residence or
16 the state, as determined annually by the economic analysis
17 division of the department of administration and
18 information. Additionally, no person shall qualify for a
19 refund under this paragraph unless the person has total
20 household assets as defined by the department of revenue
21 through rules and regulations of not to exceed fifty
22 ~~thousand dollars (\$50,000.00)~~ one hundred thousand dollars
23 (\$100,000.00) per adult member of the household as adjusted
24 annually by the statewide average Wyoming cost-of-living

1 index published by the economic analysis division of the
2 department of administration and information, excluding the
3 following:

4
5 (IV) Assets held ~~under a~~ in an
6 individual retirement account (IRA) or other bona fide
7 pension plan; ~~or individual retirement account (IRA);~~

8
9 (VI) Assets held in a medical savings
10 account.

11
12 **Section 2.** W.S. 39-13-109(c)(iv)(F) is repealed.

13
14 **Section 3.** This act shall apply to property taxes
15 assessed on or after January 1, 2009.

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17 **Section 4.** This act is effective immediately upon
18 completion of all acts necessary for a bill to become law
19 as provided by Article 4, Section 8 of the Wyoming
20 Constitution.

21
22 (END)