

## HOUSE BILL NO. HB0272

Ethanol tax credit.

Sponsored by: Representative(s) Hallinan and Zwonitzer,  
Dv.

A BILL

for

1 AN ACT relating to taxation and revenue; reducing the total  
2 annual tax credit for ethanol production as specified; and  
3 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. 39-17-109(d)(iv)(A) is amended to  
8 read:

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10 **39-17-109. Taxpayer remedies.**

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12 (d) Credits. The following shall apply:

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14 (iv) Any person who has a tax liability in  
15 Wyoming for the sale of ethanol based motor fuel or  
16 gasoline sold for the purpose of blending into an ethanol

1 based motor fuel may redeem a valid credit with the  
2 department to satisfy in part any tax liability imposed  
3 under W.S. 39-17-104(a)(i) and (ii). To qualify to redeem  
4 tax credits under this subsection, an ethanol producer  
5 shall purchase at least twenty-five percent (25%) of  
6 Wyoming origin products used in the distillation process,  
7 excluding water, during the calendar year in which the tax  
8 credits were earned. Each ethanol producer shall verify  
9 the origin of the products. In the event of natural damage  
10 to a significant portion of available Wyoming products as  
11 determined by the Wyoming department of agriculture, the  
12 twenty-five percent (25%) purchase requirement of this  
13 paragraph shall not apply. In no circumstances may the  
14 amount of tax credits redeemed by any person under this  
15 section exceed the existing tax liability of the person  
16 under W.S. 39-17-104(a)(i) and (ii). The department shall  
17 promulgate rules to implement this section. Tax credits  
18 under this subsection shall also be subject to the  
19 following:

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21 (A) The total of all tax credits redeemed  
22 by all ethanol producers under this subsection shall not  
23 exceed ~~four million dollars (\$4,000,000.00)~~ three million  
24 dollars (\$3,000,000.00) per year;

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2       **Section 2.** This act is effective July 1, 2009.

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(END)