

HOUSE BILL NO. HB0198

Wyoming Legal Tender Act.

Sponsored by: Representative(s) Kroeker, Hutchings and Miller and Senator(s) Hicks

A BILL

for

1 AN ACT relating to administration of the government;
2 recognizing certain gold and silver coin as legal tender;
3 specifying that specie legal tender shall not be taxed as
4 specified; providing that the use of specie legal tender
5 shall be voluntary; providing definitions; and providing
6 for an effective date.

7

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

9

10 **Section 1.** W.S. 9-4-1301 through 9-4-1306 are created
11 to read:

12

13

ARTICLE 13

14

THE WYOMING LEGAL TENDER ACT

15

16 **9-4-1301. Short title.**

1

2 This article shall be known and may be cited as "The
3 Wyoming Legal Tender Act."

4

5 **9-4-1302. Definitions.**

6

7 (a) As used in this article:

8

9 (i) "Legal tender" means an authorized medium of
10 exchange for the payment of debts and taxes;

11

12 (ii) "Specie" means coin or bullion having gold
13 or silver content.

14

15 **9-4-1303. Recognition of specie legal tender.**

16

17 (a) Specie legal tender in Wyoming consists of:

18

19 (i) Specie coin issued by the United States
20 government at any time;

21

22 (ii) Any other specie which a court of competent
23 jurisdiction, by final and unappealable order, rules to be

1 within state authority to make or designate as legal
2 tender.

3

4 **9-4-1304. Taxation issues related to legal tender.**

5

6 (a) Legal tender including specie legal tender shall
7 not be characterized as personal property for taxation or
8 regulatory purposes.

9

10 (b) The exchange of one (1) type or form of legal
11 tender for another form or type of legal tender shall not
12 give rise to any tax liability of any kind.

13

14 (c) Any tax due resulting from any transaction
15 involving specie legal tender shall be paid in like legal
16 tender.

17

18 **9-4-1305. Voluntary use of specie legal tender.**

19

20 Unless expressly provided by statute or by contract, no
21 person shall have the right to compel any other person to
22 tender or to accept specie legal tender.

23

24 **9-4-1306. Enforcement.**

1

2 The attorney general shall enforce this act without
3 prejudice to any private right of action.

4

5 **Section 2.** W.S. 39-11-105(a) by creating a new
6 paragraph (xxxix) is amended to read:

7

8 **39-11-105. Exemptions.**

9

10 (a) The following property is exempt from property
11 taxation:

12

13 (xxxix) Specie currency to the extent provided
14 in W.S. 9-4-1304.

15

16 **Section 3.** This act is effective July 1, 2013.

17

18

(END)