

1 (a) It is the purpose of this article to promote
2 economic development at the city, town and county level in
3 order to create additional economic health and a stronger
4 state economy.

5

6 (b) The council shall establish and administer a tax
7 free enterprise zone program as provided by this article.
8 Any city, town or county may submit an application to the
9 council for certification of a tax free enterprise zone on
10 forms prescribed by and subject to rules promulgated by the
11 council. The council may certify a tax free enterprise zone
12 if it determines that the area to be designated as a tax
13 free enterprise zone has the necessary infrastructure to
14 support manufacturing including, but not limited to,
15 utilities and sewer or water infrastructure.

16

17 (c) If a tax free enterprise zone is certified under
18 subsection (b) of this section, the council may by rule and
19 regulation authorize a tax credit for property tax paid by
20 a manufacturer conducting manufacturing activity within a
21 tax free enterprise zone. Any tax credit under this article
22 shall be referred by the council to the state loan and
23 investment board for final approval or disapproval. The

1 state loan and investment board may adopt rules as
2 necessary to implement its duties under this article.

3

4 (d) A tax credit shall only be provided under this
5 article if the manufacturer applies to the business council
6 and demonstrates that the tax free enterprise zone program
7 enticed the manufacturer to begin or continue manufacturing
8 within the tax free enterprise zone.

9

10 (e) A tax credit authorized under this article shall
11 be for one hundred percent (100%) of any tax paid under
12 W.S. 39-13-104(a)(iv) in the first year and shall decrease
13 twelve and one-half percent (12.5%) every year thereafter
14 so that after year eight (8) the property of the
15 manufacturer shall no longer be eligible for any credit
16 under this program.

17

18 (f) In addition to any tax credit under subsection
19 (e) of this section, a city, town or county may grant a tax
20 credit to the manufacturer who applies to the city, town or
21 county for any property tax paid to the city, town or
22 county in the amount of one hundred percent (100%) of any
23 tax paid to the city, town or county in the first year. The
24 credit shall decrease twelve and one-half percent (12.5%)

1 every year thereafter so that after year eight (8) the
2 property of the manufacturer shall no longer be eligible
3 for any credit under this subsection. No city, town or
4 county shall grant a tax credit under this subsection
5 unless the city, town or county commits to provide revenue
6 to the tax free enterprise zone account equal to the amount
7 of the credit for each year that the credit is authorized.

8

9 (g) If a tax credit is authorized under this article
10 and the council does not have funds available in the tax
11 free enterprise zone account to pay the credit, no credit
12 shall be allowed under this article. Nothing in this
13 article shall be deemed to create an enforceable right
14 against the council or the state of Wyoming.

15

16 (h) As used in this article "manufacturing" means as
17 defined in W.S. 39-15-101(a)(xxi).

18

19 **9-12-1402. Tax free enterprise zone account.**

20

21 (a) There is created the tax free enterprise zone
22 account. Funds shall be credited to the account as provided
23 by law. Funds in the account are continuously appropriated

1 to the council to be used only for tax credits authorized
2 under this article.

3

4 (b) The council may accept, and shall deposit to the
5 account, any gifts, contributions, donations, grants or
6 federal funds specifically given to the division for the
7 tax free enterprise zone program.

8

9 **9-12-1403. Council duties; actions on tax credit**
10 **applications.**

11

12 All complete applications for a tax credit under this
13 article which conform with the criteria established by law
14 and rules promulgated under this article which are
15 submitted to the council shall be considered by the
16 council. The council shall approve or disapprove each
17 application for a tax credit it considers in accordance
18 with this article and rules of the council. The council
19 shall not approve any tax credit unless it determines that
20 the benefit to the community, the state or both is of equal
21 or greater value than the value of the credit.

22

23 **Section 2.** W.S. 39-13-109(d) by creating a new
24 paragraph (ii) is amended to read:

1

2 **39-13-109. Taxpayer remedies.**

3

4 (d) Credits. The following shall apply:

5

6 (ii) The following shall apply to the credit
7 under W.S. 9-12-1401:

8

9 (A) The Wyoming business council shall
10 provide reimbursement for any credit allowed from the tax
11 free enterprise zone account created pursuant to W.S.
12 9-12-1402.

13

14 **Section 3.** The Wyoming business council shall request
15 that the governor, pursuant to W.S. 9-2-1005(b), transfer
16 funds to the tax free enterprise zone account created under
17 section 1 of this act from funds previously appropriated to
18 the Wyoming business council.

19

20 **Section 4.** This act is effective July 1, 2013.

21

22

(END)