HOUSE BILL NO. HB0094

Veteran's property tax exemption.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

AN ACT relating to taxation and revenue; amending the veterans' property tax exemption provisions as specified; amending the values of the exemption as specified; providing requirements; providing for applicability of the act; and providing for an effective date.

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

Section 1. W.S. 39-13-105(a)(ii), (v), by creating a new paragraph (vii), (b), (c)(ii), (iii), by creating new paragraphs (iv) and (v), (d) and (g) is amended to read:

39-13-105. Exemptions.

(a) The following persons who are bona fide Wyoming residents for at least three (3) years at the time of claiming the exemption are entitled to receive the tax exemption provided by W.S. 39-11-105(a)(xxiv):

(ii) An honorably discharged veteran of the Second World War, who served in the military service of the United States between December ~~8~~ 7, 1941 and August 14, 1945;

(v) A widow or widower, during ~~her~~ widowhood, of any person qualifying under this subsection or who died while serving honorably during the war, conflict or period described in this section. The tax exemption shall be applied to property the title to which is held by the widow or widower or to property which is the subject of a trust created by or for the benefit of the widow or widower;

(vii) A disabled veteran with a compensable service connected disability certified by the veterans administration or a branch of the armed forces of the United States.

(b) The exemption for veterans is limited to an annual exemption of ~~two thousand dollars ($2,000.00)~~ three thousand dollars ($3,000.00) of assessed value and not to exceed a total tax benefit of ~~eight hundred dollars ($800.00)~~ fifteen thousand dollars ($15,000.00) except as hereafter provided. The ~~eight hundred dollar ($800.00)~~ fifteen thousand dollar ($15,000.00) limitation does not apply to qualified widows or widowers of veterans nor veterans of the Spanish American War. Veterans who have received the entire ~~eight hundred dollar ($800.00)~~ fifteen thousand dollar ($15,000.00) exemption and who have a service connected disability certified by the veterans administration or a branch of the armed forces of the United States, or who have been granted individual unemployability status certified by the United States veterans administration, are entitled to additional annual tax exemptions not to exceed ~~two thousand dollars ($2,000.00)~~ three thousand dollars ($3,000.00) of assessed value times the ratio which the percent of disability certified bears to one hundred percent (100%). Disability certified less than ten percent (10%) shall be treated as a ten percent (10%) disability for property tax exemption purposes.

(c) Except as provided in subsection (g) of this section, in order to receive the exemption provided by this section the claimant shall file an annual sworn claim therefor on or before the fourth Monday in May with the county assessor of the county in which the property against which the exemption is sought is located indicating:

(ii) That only the claimant or ~~his~~ the claimant's spouse owns the property or that the property is the subject of a trust created by or for the benefit of the claimant or ~~his~~ the claimant's spouse;

(iii) The total tax benefit which the claimant has received under this section to the best of ~~his~~ the claimant's knowledge;~~.~~

(iv) That the exemption for real property shall only apply to the principal residence of the veteran or qualifying widow or widower;

(v) That the exemption shall be claimed by the veteran or qualifying widow or widower in not more than one (1) county in this state.

(d) Any claimant who is honorably discharged from military service and files ~~his~~ a claim after the fourth Monday in May is entitled to receive the exemption for that taxable year in addition to the exemption allowed during the ensuing tax year if a claim is filed on or before the fourth Monday in May of the ensuing calendar year.

(g) Notwithstanding subsection (c) of this section and except as provided in subsections (d) and (e) of this section, a claimant under this section may file ~~his~~ a claim after the fourth Monday in May and receive the exemption for that taxable year but only to modify motor vehicle registration fees as authorized under W.S. 31-3-101(b)(iii).

Section 2. The provisions of this act, including the increased maximum amounts provided for the property tax exemption, shall apply to any veteran who has previously applied for and received a property tax exemption under W.S. 39-13-105. Any amount of property tax exemption previously received by any veteran prior to the effective date of this act shall be deducted from the maximum amount authorized by this act.

Section 3. This act shall apply to ad valorem tax assessed on and after January 1, 2007.

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

(END)