

HOUSE BILL NO. HB0310

Coal impact tax.

Sponsored by: Representative(s) Esquibel, K., Gilmore,
Thompson and Zwonitzer, Dv. and Senator(s)
Hastert

A BILL

for

1 AN ACT relating to taxation and revenue; increasing the
2 severance tax on coal as specified; providing an exemption;
3 providing conforming amendments; and providing for an
4 effective date.

5

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

7

8 **Section 1.** W.S. 39-14-104(a)(intro), (vi) and by
9 creating a new paragraph (vii), 39-14-105 by creating a new
10 subsection (e) and 39-14-111(a) are amended to read:

11

12 **39-14-104. Tax rate.**

13

14 (a) Except as otherwise provided by W.S. 39-14-105,
15 the total severance tax rate for surface coal shall be
16 ~~seven percent (7%)~~ eight percent (8%). This rate comprises

1 one and one-half percent (1.5%) imposed by Wyoming
2 constitution article 15, section 19, and ~~five and one half~~
3 ~~percent (5.5%)~~ six and one-half percent (6.5%) imposed
4 statutorily. The tax shall be distributed as provided in
5 W.S. 39-14-111 and is imposed as follows:

6
7 (vi) One-half percent (.5%) ~~;~~ plus

8
9 (vii) One percent (1%).

10
11 **39-14-105. Exemptions.**

12
13 (e) Notwithstanding W.S. 39-14-104(a), the tax
14 imposed pursuant to W.S. 39-14-104(a)(vii) shall not be
15 assessed against any producer whose total annual coal
16 production does not exceed ten million (10,000,000) tons.

17
18 **39-14-111. Distribution.**

19
20 (a) As provided by W.S. 39-14-104(a), the total
21 severance tax rate for surface coal shall be ~~seven percent~~
22 ~~(7%)~~ eight percent (8%). As provided by W.S. 39-14-104(b),
23 the total severance tax rate for underground coal shall be
24 three and three-quarters percent (3.75%). A one and one-

1 half percent (1.5%) tax imposed by W.S. 39-14-104(a)(i) and
2 a one and one-half percent (1.5%) tax imposed by W.S.
3 39-14-104(b)(i) shall be deposited into the permanent
4 Wyoming mineral trust fund. All other taxes imposed by W.S.
5 39-14-104(a) and (b) shall be deposited into the severance
6 tax distribution account.

7

8 **Section 2.** This act is effective July 1, 2007.

9

10 (END)