HOUSE BILL NO. HB0322

Recreation facilities-sales and use tax exemption.

Sponsored by: Representative(s) Simpson and Senator(s) Larson

A BILL

for

AN ACT relating to sales and use tax; providing an exemption from sales and use taxes for the purchase of certain equipment used in the construction, upgrade or retrofit of major recreational facilities as specified; and providing for an effective date.

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

Section 1. W.S. 39-15-105(a)(viii) by creating a new subparagraph (S) and 39-16-105(a)(viii) by creating a new subparagraph (H) are amended to read:

39-15-105. Exemptions.

(a) The following sales or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(S) The sale of more than two hundred thousand dollars ($200,000.00) in a calendar year to a single taxpayer of equipment and materials used to construct, upgrade or retrofit major recreational facilities. The exemption under this subparagraph shall not apply to tools and other equipment used in the construction of a major recreational facility, contracted services required in the construction project or routine maintenance expenditures associated with the facility. The exemption under this subparagraph shall apply only to that equipment and materials or portion of equipment and materials which exceeds the two hundred thousand dollar ($200,000.00) threshold. For purposes of this subparagraph "major recreational facilities" means property open to the general public and used primarily for swimming, boating, camping, hiking, winter sports and viewing or enjoying of historical, archaeological, scenic or scientific sites, but does not include the portion of a facility used solely for lodging or restaurant activities.

39-16-105. Exemptions.

(a) The following purchases or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(H) The sale of more than two hundred thousand dollars ($200,000.00) in a calendar year to a single taxpayer of equipment and materials used to construct, upgrade or retrofit major recreational facilities. The exemption under this subparagraph shall not apply to tools and other equipment used in the construction of a major recreational facility, contracted services required in the construction project or routine maintenance expenditures associated with the facility. The exemption under this subparagraph shall apply only to that equipment and materials or portion of equipment and materials which exceeds the two hundred thousand dollar ($200,000.00) threshold. For purposes of this subparagraph "major recreational facilities" means property open to the

<u>general public and used primarily for swimming, boating, camping, hiking, winter sports and viewing or enjoying of historical, archaeological, scenic or scientific sites, but does not include the portion of a facility used solely for lodging or restaurant activities.</u>

Section 2. 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)