

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Mineral taxation-imposition.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to taxation and revenue; providing for the
2 imposition of severance taxes upon mineral production as
3 specified; amending related provisions; providing for
4 application of the act; and providing for an effective
5 date.

6

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

8

9 **Section 1.** W.S. 39-14-103(a), (c)(iii), 39-14-203(a),
10 (c)(ii), 39-14-303(a), (c)(iii), 39-14-403(a), (c)(iii),
11 39-14-503(a), (c)(iii), 39-14-603(a), (c)(iii),
12 39-14-703(a) and (c)(iii) are amended to read:

13

14 **39-14-103. Imposition.**

15

16 (a) Taxable event. The following shall apply:

17

18 (i) There is levied a severance tax on the value
19 of the gross product for the privilege of severing or

1 extracting both surface and underground coal in the state.
2 The severance tax imposed by this article may be in
3 addition to other taxes, including but not limited to the
4 ad valorem taxes imposed by W.S. 39-13-104-i;

5
6 (ii) In addition to any person or entity owning
7 the right to produce any mineral in this state, the act of
8 severing or extracting the mineral shall be subject to
9 taxation, regardless of the ownership of the mineral or
10 contractual right to produce the mineral.

11
12 (c) Taxpayer. The following shall apply:

13
14 (iii) Any person extracting valuable products
15 subject to this chapter, regardless of ownership or
16 contractual right or interest in the valuable products, and
17 any person owning an interest in the valuable products to
18 the extent of their interest ownership are liable for the
19 payment of the severance taxes imposed by this article
20 together with any penalties and interest.

21
22 **39-14-203. Imposition.**

23
24 (a) Taxable event. The following shall apply:

25
26 (i) There is levied a severance tax on the value
27 of the gross product extracted for the privilege of
28 severing or extracting crude oil, lease condensate or
29 natural gas in the state. The tax imposed by this
30 subsection shall be in addition to all other taxes imposed
31 by law including, but not limited to, ad valorem taxes
32 imposed by W.S. 39-13-101 through 39-13-111-i;

33
34 (ii) In addition to any person or entity owning
35 the right to produce any mineral in this state, the act of
36 severing or extracting the mineral shall be subject to
37 taxation, regardless of the ownership of the mineral or
38 contractual right to produce the mineral.

39
40 (c) Taxpayer. The following shall apply:

41
42 (ii) In the case of severance taxes, any person
43 extracting crude oil, lease condensate or natural gas,
44 regardless of ownership or contractual right or interest in
45 the crude oil, lease condensate or natural gas, and any
46 person owning an interest in the crude oil, lease

1 condensate or natural gas production to the extent of their
2 interest ownership are liable for the payment of the
3 severance taxes together with any penalties and interest;

4
5 **39-14-303. Imposition.**

6
7 (a) Taxable event. The following shall apply:

8
9 (i) There is levied a severance tax on the value
10 of the gross product for the privilege of severing or
11 extracting trona, in the state. The severance tax imposed
12 by this article may be in addition to other taxes,
13 including but not limited to the ad valorem taxes imposed
14 by W.S. 39-13-104-~~j~~;

15
16 (ii) In addition to any person or entity owning
17 the right to produce any mineral in this state, the act of
18 severing or extracting the mineral shall be subject to
19 taxation, regardless of the ownership of the mineral or
20 contractual right to produce the mineral.

21
22 (c) Taxpayer. The following shall apply:

23
24 (iii) Any person extracting valuable products
25 subject to this article, regardless of ownership or
26 contractual right or interest in the valuable products,
27 and any person owning an interest in the valuable products
28 to the extent of their interest ownership are liable for
29 the payment of the severance taxes imposed by this article
30 together with any penalties and interest.

31
32 **39-14-403. Imposition.**

33
34 (a) Taxable event. The following shall apply:

35
36 (i) There is levied a severance tax on the value
37 of the gross product for the privilege of severing or
38 extracting bentonite in the state. The severance tax
39 imposed by this article may be in addition to other taxes,
40 including but not limited to the ad valorem taxes imposed
41 by W.S. 39-13-104-~~j~~;

42
43 (ii) In addition to any person or entity owning
44 the right to produce any mineral in this state, the act of
45 severing or extracting the mineral shall be subject to

1 taxation, regardless of the ownership of the mineral or
2 contractual right to produce the mineral.

3
4 (c) Taxpayer. The following shall apply:

5
6 (iii) Any person extracting valuable products
7 subject to this article, regardless of ownership or
8 contractual right or interest in the valuable products,
9 and any person owning an interest in the valuable products
10 to the extent of their interest ownership are liable for
11 the payment of the severance taxes imposed by this article
12 together with any penalties and interest.

13
14 **39-14-503. Imposition.**

15
16 (a) Taxable event. The following shall apply:

17
18 (i) There is levied a severance tax on the value
19 of the gross product for the privilege of severing or
20 extracting uranium in the state. The severance tax imposed
21 by this article may be in addition to other taxes,
22 including but not limited to the ad valorem taxes imposed
23 by W.S. 39-13-104*i*.

24
25 (ii) In addition to any person or entity owning
26 the right to produce any mineral in this state, the act of
27 severing or extracting the mineral shall be subject to
28 taxation, regardless of the ownership of the mineral or
29 contractual right to produce the mineral.

30
31 (c) Taxpayer. The following shall apply:

32
33 (iii) Any person extracting valuable products
34 subject to this article, regardless of ownership or
35 contractual right or interest in the valuable products,
36 and any person owning an interest in the valuable products
37 to the extent of their interest ownership are liable for
38 the payment of the severance taxes imposed by this article
39 together with any penalties and interest.

40
41 **39-14-603. Imposition.**

42
43 (a) Taxable event. The following shall apply:

44
45 (i) There is levied a severance tax on the value
46 of the gross product for the privilege of severing or

1 extracting sand and gravel in the state. The severance tax
2 imposed by this article may be in addition to other taxes,
3 including but not limited to the ad valorem taxes imposed
4 by W.S. 39-13-104-i;

5
6 (ii) In addition to any person or entity owning
7 the right to produce any mineral in this state, the act of
8 severing or extracting the mineral shall be subject to
9 taxation, regardless of the ownership of the mineral or
10 contractual right to produce the mineral.

11
12 (c) Taxpayer. The following shall apply:

13
14 (iii) Any person extracting valuable products
15 subject to this article, regardless of ownership or
16 contractual right or interest in the valuable products,
17 and any person owning an interest in the valuable products
18 to the extent of their interest ownership are liable for
19 the payment of the severance taxes imposed by this article
20 together with any penalties and interest.

21
22 **39-14-703. Imposition.**

23
24 (a) Taxable event. The following shall apply:

25
26 (i) There is levied a severance tax on the value
27 of the gross product for the privilege of severing or
28 extracting other valuable deposits, oil shale or any other
29 fossil fuel in the state. The severance tax imposed by
30 this article may be in addition to other taxes, including
31 but not limited to the ad valorem taxes imposed by W.S.
32 39-13-104-i;

33
34 (ii) In addition to any person or entity owning
35 the right to produce any mineral in this state, the act of
36 severing or extracting the mineral shall be subject to
37 taxation, regardless of the ownership of the mineral or
38 contractual right to produce the mineral.

39
40 (c) Taxpayer. The following shall apply:

41
42 (iii) Any person extracting valuable products
43 subject to this article, regardless of ownership or
44 contractual right or interest in the valuable products,
45 and any person owning an interest in the valuable products
46 to the extent of their interest ownership are liable for

1 the payment of the severance taxes imposed by this article
2 together with any penalties and interest.

3
4 **Section 2.** This act shall apply to the gross product
5 of any valuable mineral deposit and mine product produced
6 on or after January 1, 2008.

7
8 **Section 3.** This act is effective immediately upon
9 completion of all acts necessary for a bill to become law
10 as provided by Article 4, Section 8 of the Wyoming
11 Constitution.

12
13 (END)