

HOUSE BILL NO. HB0171

Severance taxes-penalties.

Sponsored by: Representative(s) Lubnau and Wallis

A BILL

for

1 AN ACT relating to severance taxes; limiting offsetting
2 credits to overpaid severance taxes as specified; requiring
3 department of revenue to calculate penalties; and providing
4 for an effective date.

5

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

7

8 **Section 1.** W.S. 39-14-108(c)(i) and (d)(i),
9 39-14-208(c)(i) and (d)(i), 39-14-308(c)(i) and (d)(i),
10 39-14-408(c)(i) and (d)(i), 39-14-508(c)(i) and (d)(i),
11 39-14-608(c)(i) and (d)(i) and 39-14-708(c)(i) and (d)(i)
12 are amended to read:

13

14 **39-14-108. Enforcement.**

15

16 (c) Interest. The following shall apply:

17

1 (i) The taxpayer is entitled to receive an
2 offsetting credit for any overpaid ~~gross product or~~
3 severance tax identified by an audit that is within the
4 scope of the audit period, without regard to the limitation
5 period for requesting refunds. In calculating interest,
6 the department ~~or board of county commissioners~~ shall first
7 compute a net deficiency amount after subtracting any
8 offsetting credit and then calculate any interest due;

9
10 (d) Penalties. The following shall apply:

11
12 (i) The taxpayer is entitled to receive an
13 offsetting credit for any overpaid ~~gross product or~~
14 severance tax identified by an audit that is within the
15 scope of the audit period, without regard to the limitation
16 period for requesting refunds. In calculating penalty, the
17 department ~~or board of county commissioners~~ shall first
18 compute a net deficiency amount after subtracting any
19 offsetting credit and then calculate any penalty due;

20
21 **39-14-208. Enforcement.**

22
23 (c) Interest. The following shall apply:

1 (i) The taxpayer is entitled to receive an
2 offsetting credit for any overpaid ~~gross product or~~
3 severance tax identified by an audit that is within the
4 scope of the audit period, without regard to the limitation
5 period for requesting refunds. In calculating interest,
6 the department ~~or board of county commissioners~~ shall first
7 compute a net deficiency amount after subtracting any
8 offsetting credit and then calculate any interest due;

9
10 (d) Penalties. The following shall apply:

11
12 (i) The taxpayer is entitled to receive an
13 offsetting credit for any overpaid ~~gross product or~~
14 severance tax identified by an audit that is within the
15 scope of the audit period, without regard to the limitation
16 period for requesting refunds. In calculating penalty, the
17 department shall first compute a net deficiency amount
18 after subtracting any offsetting credit and then calculate
19 any penalty due;

20
21 **39-14-308. Enforcement.**

22
23 (c) Interest. The following shall apply:

1 (i) The taxpayer is entitled to receive an
2 offsetting credit for any overpaid ~~gross product or~~
3 severance tax identified by an audit that is within the
4 scope of the audit period, without regard to the limitation
5 period for requesting refunds. In calculating interest,
6 the department ~~or board of county commissioners~~ shall first
7 compute a net deficiency amount after subtracting any
8 offsetting credit and then calculate any interest due;

9
10 (d) Penalties. The following shall apply:

11
12 (i) The taxpayer is entitled to receive an
13 offsetting credit for any overpaid ~~gross product or~~
14 severance tax identified by an audit that is within the
15 scope of the audit period, without regard to the limitation
16 period for requesting refunds. In calculating penalty, the
17 department ~~or board of county commissioners~~ shall first
18 compute a net deficiency amount after subtracting any
19 offsetting credit and then calculate any penalty due;

20
21 **39-14-408. Enforcement.**

22
23 (c) Interest. The following shall apply:

1 (i) The taxpayer is entitled to receive an
2 offsetting credit for any overpaid ~~gross product or~~
3 severance tax identified by an audit that is within the
4 scope of the audit period, without regard to the limitation
5 period for requesting refunds. In calculating interest,
6 the department ~~or board of county commissioners~~ shall first
7 compute a net deficiency amount after subtracting any
8 offsetting credit and then calculate any interest due;

9
10 (d) Penalties. The following shall apply:

11
12 (i) The taxpayer is entitled to receive an
13 offsetting credit for any overpaid ~~gross product or~~
14 severance tax identified by an audit that is within the
15 scope of the audit period, without regard to the limitation
16 period for requesting refunds. In calculating penalty, the
17 department ~~or board of county commissioners~~ shall first
18 compute a net deficiency amount after subtracting any
19 offsetting credit and then calculate any penalty due;

20
21 **39-14-508. Enforcement.**

22
23 (c) Interest. The following shall apply:

1 (i) The taxpayer is entitled to receive an
2 offsetting credit for any overpaid ~~gross product or~~
3 severance tax identified by an audit that is within the
4 scope of the audit period, without regard to the limitation
5 period for requesting refunds. In calculating interest,
6 the department ~~or board of county commissioners~~ shall first
7 compute a net deficiency amount after subtracting any
8 offsetting credit and then calculate any interest due;

9
10 (d) Penalties. The following shall apply:

11
12 (i) The taxpayer is entitled to receive an
13 offsetting credit for any overpaid ~~gross product or~~
14 severance tax identified by an audit that is within the
15 scope of the audit period, without regard to the limitation
16 period for requesting refunds. In calculating penalty, the
17 department ~~or board of county commissioners~~ shall first
18 compute a net deficiency amount after subtracting any
19 offsetting credit and then calculate any penalty due;

20
21 **39-14-608. Enforcement.**

22
23 (c) Interest. The following shall apply:

1 (i) The taxpayer is entitled to receive an
2 offsetting credit for any overpaid ~~gross product or~~
3 severance tax identified by an audit that is within the
4 scope of the audit period, without regard to the limitation
5 period for requesting refunds. In calculating interest,
6 the department ~~or board of county commissioners~~ shall first
7 compute a net deficiency amount after subtracting any
8 offsetting credit and then calculate any interest due;

9
10 (d) Penalties. The following shall apply:

11
12 (i) The taxpayer is entitled to receive an
13 offsetting credit for any overpaid ~~gross product or~~
14 severance tax identified by an audit that is within the
15 scope of the audit period, without regard to the limitation
16 period for requesting refunds. In calculating penalty, the
17 department ~~or board of county commissioners~~ shall first
18 compute a net deficiency amount after subtracting any
19 offsetting credit and then calculate any penalty due;

20
21 **39-14-708. Enforcement.**

22
23 (c) Interest. The following shall apply:

(i) The taxpayer is entitled to receive an offsetting credit for any overpaid ~~gross product or~~ severance tax identified by an audit that is within the scope of the audit period, without regard to the limitation period for requesting refunds. In calculating interest, the department ~~or board of county commissioners~~ shall first compute a net deficiency amount after subtracting any offsetting credit and then calculate any interest due;

(d) Penalties. The following shall apply:

(i) The taxpayer is entitled to receive an offsetting credit for any overpaid ~~gross product or~~ severance tax identified by an audit that is within the scope of the audit period, without regard to the limitation period for requesting refunds. In calculating penalty, the department ~~or board of county commissioners~~ shall first compute a net deficiency amount after subtracting any offsetting credit and then calculate any penalty due;

Section 2. This act is effective July 1, 2008.

(END)