HOUSE JOINT RESOLUTION NO. HJ0008

Property tax-assessed value increase limitations.

Sponsored by: Representative(s) Simpson, Illoway and Quarberg and Senator(s) Bebout and Coe

A BILL

for

A JOINT RESOLUTION proposing to amend the Wyoming Constitution; relating to taxation and revenue; creating an additional class of property for assessment of taxes; providing for a limit in the increase in assessed value on real residential property as specified; and providing definitions.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING, two-thirds of all the members of the two houses, voting separately, concurring therein:

Section 1. The following proposal to amend Wyoming Constitution, Article 15, Section 11(a)(intro), (ii), by creating a new paragraph (iii), by renumbering (iii) as (iv), (b) through (d) and by creating a new subsection (e) is proposed for submission to the electors of the State of

Wyoming at the next general election for approval or rejection, to become valid as a part of the constitution if ratified by a majority of the electors voting at the election:

Article 15, Section 11. Uniformity of assessment required.

(a) All property, except as in this constitution otherwise provided, shall be uniformly valued at its full value as defined by the legislature, in ~~three (3)~~ four (4) classes as follows:

(ii) Property used for industrial purposes as defined by the legislature;~~ and~~

(iii) Any residential property as defined by the legislature; and

~~(iii)~~ (iv) All other property, real and personal.

(b) The legislature shall prescribe the percentage of value which shall be assessed within each designated class. All taxable property shall be valued at its full value as defined by the legislature except as provided by subsection (e) of this section and agricultural and grazing lands which shall be valued according to the capability of the land to produce agricultural products under normal conditions. The percentage of value prescribed for industrial property shall not be more than forty percent (40%) higher nor more than four (4) percentage points more than the percentage prescribed for property other than minerals.

(c) Except as provided by subsection (e) of this section, the legislature shall not create new classes or subclasses or authorize any property to be assessed at a rate other than the rates set for authorized classes.

(d) Except as provided by subsection (e) of this section, all taxation shall be equal and uniform within each class of property. The legislature shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal.

(e) Notwithstanding subsections (b), (c) and (d) of this section, the assessed value on any residential property shall not increase in any one (1) calendar year by more than the annual rate of inflation. However, the limitation in this subsection shall not apply to any residential property which is purchased, newly constructed, or has undergone a change of ownership in the previous calendar year. Any residential property which is sold in an arms-length transaction shall be valued at the sales price. The terms "annual rate of inflation," "purchased," "newly constructed" and "change in ownership" shall be defined by the legislature.

Section 2. The Secretary of State shall endorse the following statement on the proposed amendment:

The adoption of this amendment will create an additional class of property for taxation purposes. The additional class will consist of residential property. Assessment of property within this class must be uniform but may differ from the other three (3) classes of property currently defined in the constitution. The adoption of this amendment would also limit the increase in assessed value on real residential property in any year to the annual rate of inflation, subject to certain exceptions.

(END)