

HOUSE BILL NO. HB0220

Ad valorem taxation-liens on mineral production.

Sponsored by: Representative(s) Edwards, Clausen, Eklund,
Gray, Greear, Haley, Jennings, Lone, Miller,
Northrup and Pownall and Senator(s) Bebout

A BILL

for

1 AN ACT relating to ad valorem taxation; amending provisions
2 related to liens on mineral production; and providing for
3 an effective date.

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

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7 **Section 1.** W.S. 39-13-108(d)(vi)(B) and (O) is
8 amended to read:

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10 **39-13-108. Enforcement.**

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12 (d) Liens. The following shall apply:

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14 (vi) Liens on mineral production. The following
15 shall apply:

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(B) A lien under this paragraph is also a lien on all interests of the delinquent taxpayer in the mineral estate from which the production was severed, and on all future production of the same mineral from the same leasehold, regardless of any change of ownership or change in the person extracting the mineral. A lien under this paragraph shall not apply to a royalty interest, overriding royalty or other interest carved out of the mineral estate of an owner who is not a delinquent taxpayer;

(O) As used in this paragraph, "delinquent taxpayer" means any person who has the legal responsibility to pay ad valorem taxes, fees, penalties or interest on mineral production and who has not made payment as of the date due of such taxes, fees, penalties or interest. A delinquent taxpayer may include a mineral lessee who is receiving production from the mineral interest; the mineral lessor to the extent of the lessor's retained interest; an owner of a royalty, overriding royalty or other interest carved out of the mineral estate; a person severing the mineral if the person has the legal responsibility for remittance of ad valorem tax, fees, penalties or interest

1 on the mineral production. "Delinquent taxpayer" does not
2 include an owner of a royalty interest, overriding royalty
3 or other interest carved out of the mineral estate if the
4 person who is producing the mineral and legally responsible
5 for remitting ad valorem taxes, fees, penalties or interest
6 on production withholds a portion of the royalty,
7 overriding royalty or other interest carved out of the
8 mineral estate for the purpose of remitting taxes, fees,
9 penalties or interest on behalf of the owner.

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11 **Section 2.** This act is effective July 1, 2017.

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(END)