

SENATE FILE NO. SF0060

Monthly ad valorem tax revisions-2.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to ad valorem taxation of mineral  
2 production; specifying that the monthly payment of ad  
3 valorem taxation begins January 1, 2022; providing for the  
4 payment of ad valorem taxes from calendar years 2020 and  
5 2021; clarifying distribution of the taxes; repealing an  
6 existing ad valorem tax payment transition period;  
7 providing for loans to counties; providing appropriations;  
8 and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 39-13-111(d) and 39-13-113(c) and by  
13 creating a new subsection (g) are amended to read:

14

15 **39-13-111. Distribution.**

16

1 (d) Taxes collected pursuant to W.S. 39-13-113 shall  
2 be distributed as provided in this section, including taxes  
3 collected following final reconciliation of the taxes under  
4 W.S. 39-13-113(b).

5  
6 **39-13-113. Monthly payment of ad valorem tax on gross**  
7 **product of mineral production.**

8  
9 (c) Collection and distribution. Monthly and annual  
10 payments of the ad valorem tax on mineral production shall  
11 be collected by the department on behalf of each county.  
12 The department shall properly account for the payments  
13 received and distribute the payments ~~promptly in the course~~  
14 ~~of ordinary business~~ monthly to the county treasurer. Upon  
15 distribution of funds to counties under this subsection the  
16 amount shall be proportionally distributed by the county  
17 treasurer to each taxing entity within the county as  
18 provided in W.S. 39-13-111.

19  
20 (g) Notwithstanding subsection (a) of this section  
21 and except as otherwise provided in subsections (d) and (f)  
22 of this section, estimated monthly ad valorem tax payments  
23 shall first be due under this section beginning with

1 production on January 1, 2022. The ad valorem tax on  
2 mineral production from calendar years 2020 and 2021 shall  
3 be paid as provided in this subsection. Fifty percent (50%)  
4 of taxes due for production from calendar year 2020 shall  
5 be due on and after September 1, 2021 and payable to the  
6 counties on and after November 10, 2021. Unless the entire  
7 tax due for production from calendar year 2020 is paid by  
8 December 31, 2021, the remaining fifty percent (50%) of the  
9 taxes due for production from calendar year 2020 and all  
10 taxes due from production in calendar year 2021 shall be  
11 paid as provided in this subsection. The total amount of  
12 2020 and 2021 remaining taxes due under this subsection  
13 shall be calculated by the department and the applicable  
14 counties. The taxpayer shall make an additional payment on  
15 December 1 of each year beginning in 2023 equal to eight  
16 percent (8%) of the total amount calculated under this  
17 subsection until the total amount has been paid. Timely  
18 payments made in accordance with this subsection shall not  
19 be subject to penalties or interest. If a taxpayer fails to  
20 make timely payments under this subsection, all applicable  
21 penalties and interest shall be calculated from the date  
22 the tax would have been paid if monthly payments began  
23 January 1, 2020.

1

2           **Section 2.** 2020 Wyoming Session Laws, Chapter 142,  
3 Section 3 is repealed.

4

5           **Section 3.** There is appropriated forty million  
6 dollars (\$40,000,000.00) from the legislative stabilization  
7 reserve account to the state treasurer. This amount shall  
8 only be used to make loans to counties to cover funding  
9 shortfalls caused by the delay in payment of ad valorem  
10 taxes under W.S. 39-13-113(g) upon application to the state  
11 treasurer. Loans shall be repaid by the county on a  
12 schedule determined by the state treasurer consistent with  
13 the schedule for the payment of remaining taxes under W.S.  
14 39-13-113(g) at an interest rate of zero percent (0%) per  
15 annum and the loans shall be guaranteed by the payment of  
16 remaining taxes made under W.S. 39-13-113(g). Repayments of  
17 loans made under this section shall be deposited in the  
18 legislative stabilization reserve account. This  
19 appropriation shall be for the period beginning with the  
20 effective date of this act and ending June 30, 2022. This  
21 appropriation shall not be transferred or expended for any  
22 other purpose and any unexpended, unobligated funds

1 remaining from this appropriation shall revert as provided  
2 by law on June 30, 2022.

3

4       **Section 4.** There is appropriated one dollar (\$1.00)  
5 from the legislative stabilization reserve account to the  
6 department of revenue for the costs of implementing this  
7 act. This appropriation shall be for the period beginning  
8 with the effective date of this act and ending June 30,  
9 2022. This appropriation shall not be transferred or  
10 expended for any other purpose and any unexpended,  
11 unobligated funds remaining from this appropriation shall  
12 revert as provided by law on June 30, 2022. It is the  
13 intent of the legislature that this appropriation not be  
14 included in the department's standard budget for the  
15 immediately succeeding fiscal biennium.

16

17       **Section 5.** This act is effective immediately upon  
18 completion of all acts necessary for a bill to become law  
19 as provided by Article 4, Section 8 of the Wyoming  
20 Constitution.

21

22

(END)