

HOUSE BILL NO. HB0191

Statewide mill levy for education.

Sponsored by: Representative(s) Brown

A BILL

for

1 AN ACT relating to school funding; establishing the school
 2 foundation program permanent account; specifying
 3 distribution of earnings from the account; imposing a mill
 4 levy to provide funds to the account; providing a sales and
 5 use tax credit for specified taxpayers; and providing for
 6 an effective date.

7

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

9

10 **Section 1.** W.S. 21-13-306.2 is created to read:

11

12 **21-13-306.2. School foundation program permanent**
 13 **account; purposes; levy of state tax.**

14

15 (a) The school foundation program permanent account
 16 is hereby created. Funds within the corpus of the account

1 are intended to be inviolate and constitute a permanent
2 trust account that shall not be expended by legislative
3 appropriation. All funds within the account shall be
4 invested by the state treasurer and all investment earnings
5 from the account shall be distributed as follows:

6

7 (i) If the balance in the corpus of the account
8 is less than two billion dollars (\$2,000,000,000.00), all
9 earnings shall be distributed to the corpus of the account;

10

11 (ii) If the balance in the corpus of the account
12 is two billion dollars (\$2,000,000,000.00) or more, all
13 earnings shall be distributed to the school foundation
14 program account created under W.S. 21-13-306.

15

16 (b) For the support of the public elementary and
17 secondary schools of the state, except as provided in W.S.
18 39-13-104(a)(v) there shall be assessed and levied each
19 year a state tax of four (4) mills on the dollar of the
20 assessed valuation of the property within the state for the
21 industrial property class and the all other property class
22 as certified on August 10 under W.S. 39-11-102.1(c)(v). The
23 tax under this section shall not apply to the gross product

1 of minerals and mine products property class. The tax is in
2 addition to any and all other taxes authorized by law.

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4 **Section 2.** W.S. 39-13-104(a) by creating a new
5 paragraph (v) and 39-15-109(d) by creating a new paragraph
6 (v) are amended to read:

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8 **39-13-104. Taxation rate.**

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10 (a) Authorized mill levies. There shall be annually
11 levied and assessed upon the taxable value of property
12 within Wyoming the following state taxes when applicable:

13

14 (v) Four (4) mills for school purposes as
15 certified by the board as provided by W.S. 21-13-306.2 to
16 be credited to the school foundation program permanent
17 account. The mills under this paragraph shall be assessed
18 for the industrial property class and the all other
19 property class. The mills under this paragraph shall not be
20 assessed in any year when the balance in the corpus of the
21 school foundation program permanent account is two billion
22 dollars (\$2,000,000,000.00) or more on December 31 of the
23 preceding calendar year.

1

2 **39-15-109. Taxpayer remedies.**

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4 (d) Credits. The following shall apply:

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6 (v) Any tax paid under W.S. 39-13-104(a)(v) by a
7 taxpayer who is a mineral producer shall be credited
8 against any subsequent tax liability of the taxpayer under
9 this chapter or chapter 16 of this title within the next
10 two (2) years following payment of the tax under W.S.
11 39-13-104(a)(v).

12

13 **Section 3.** This act is effective January 1, 2022.

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(END)