

HOUSE BILL NO. HB0045

Property tax exemption-residential structures and land.

Sponsored by: Representative(s) Crago, Allred, Banks,
Berger, Byron, Clouston, Conrad, Harshman,
Henderson, Larsen, L, Larson, JT, Lawley,
Newsome, Niemiec, Northrup, Oakley, Olsen,
Sommers, Stith, Tarver, Walters, Washut,
Western, Wylie and Zwonitzer, Dn and
Senator(s) Anderson, Barlow, Cooper,
Dockstader, Driskill, Kinskey, Landen,
Nethercott and Schuler

A BILL

for

1 AN ACT relating to taxation; establishing a property tax
2 exemption for single family residential structures based on
3 the prior year assessed value; establishing a property tax
4 exemption for land associated with a single family
5 residential structure based on the prior year assessed
6 value; providing definitions; requiring information related
7 to the tax exemption to be included on the tax assessment
8 schedule and tax notice; providing rulemaking authority;
9 specifying applicability; and providing for an effective
10 date.

11

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

1

2 **Section 1.** W.S. 39-11-105(a) by creating new
3 paragraphs (xliii) and (xliv), 39-13-103(b)(viii) and
4 39-13-107(b)(i)(C) are amended to read:

5

6 **39-11-105. Exemptions.**

7

8 (a) The following property is exempt from property
9 taxation:

10

11 (xliii) A portion of a single family residential
12 structure. The following shall apply to the exemption under
13 this paragraph:

14

15 (A) Subject to subparagraph (B) of this
16 paragraph, the amount of the exemption under this paragraph
17 shall be any assessed value of the single family
18 residential structure that is in excess of the prior year
19 assessed value, less any exemption authorized under this
20 paragraph in the prior year, plus five percent (5%);

21

1 (B) The exemption under this paragraph is
2 not applicable and the property shall be valued at full
3 value if:

4

5 (I) The increase in value is
6 attributable to structural changes to the single family
7 residential structure including new construction or
8 additions to an existing structure; or

9

10 (II) The owner acquired the property
11 during the prior calendar year. The following shall not be
12 deemed to be an acquisition of property under this
13 subdivision:

14

15 (1) A transfer of property
16 between spouses;

17

18 (2) A transfer of property
19 pursuant to a court order including to effectuate a
20 settlement agreement or in compliance with a decree of
21 divorce or judicial separation;

22

1 (3) A transfer of property to a
2 trust established for the benefit of the prior owner;

3

4 (4) A transfer of property to a
5 corporation, partnership or limited liability company if
6 the prior owner of the property is a shareholder or owner
7 of the corporation, partnership or limited liability
8 company;

9

10 (5) Any other transfer of
11 property that the department determines by rule should not
12 be an acquisition of property due to the relationship of
13 the parties.

14

15 (C) The department shall adopt rules
16 necessary to administer the exemption under this paragraph;

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18 (D) As used in this paragraph, "single
19 family residential structure" means a structure intended
20 for human habitation including a house, modular home,
21 mobile home, townhouse or condominium that is a privately
22 owned single family dwelling unit. Beginning in tax year
23 2025, "single family residential structure" shall include

1 the associated improved land and other structures
2 associated with the residential structure including
3 garages, sheds and other outbuildings.

4
5 (xliv) A portion of improved land associated
6 with a single family residential structure. The following
7 shall apply to the exemption under this paragraph:

8
9 (A) Subject to subparagraph (B) of this
10 paragraph, the amount of the exemption under this paragraph
11 shall be any assessed value of improved land associated
12 with a residential structure that is in excess of the prior
13 year assessed value, less any exemption authorized under
14 this paragraph in the prior year, plus five percent (5%);

15
16 (B) The exemption under this paragraph is
17 not applicable and the property shall be valued at full
18 value if the owner acquired the property during the prior
19 calendar year. The following shall not be deemed to be an
20 acquisition of property under this subparagraph:

21
22 (I) A transfer of property between
23 spouses;

1

2

(II) A transfer of property pursuant to a court order including to effectuate a settlement agreement or in compliance with a decree of divorce or judicial separation;

6

7

(III) A transfer of property to a trust established for the benefit of the prior owner;

9

10

(IV) A transfer of property to a corporation, partnership or limited liability company if the prior owner of the property is a shareholder or owner of the corporation, partnership or limited liability company;

15

16

(V) Any other transfer of property that the department determines by rule should not be an acquisition of property due to the relationship of the parties.

20

21

(C) The department shall adopt rules necessary to administer the exemption under this paragraph;

23

1 (D) As used in this paragraph, "improved
2 land associated with a single family residential structure"
3 means land that is improved by a structure intended for
4 human habitation including a house, modular home, mobile
5 home, townhouse or condominium that is a privately owned
6 single family dwelling unit.

7
8 **39-13-103. Imposition.**

9
10 (b) Basis of tax. The following shall apply:

11
12 (viii) Every assessment schedule sent to a
13 taxpayer shall contain the property's estimated fair market
14 value for the current and previous year, or, productive
15 value in the case of agricultural property. The schedule
16 shall also contain the assessment ratio as provided by
17 paragraph (b)(iii) of this section for the taxable
18 property, the amount of taxes assessed on the taxable
19 property from the previous year, ~~and~~ an estimate of the
20 taxes which will be due and payable for the current year
21 based on the previous year's mill levies and, if the
22 property is a single family residential structure, an
23 estimate of the taxes that will be avoided if the property

1 is eligible for the exemptions under W.S.
2 39-11-105(a)(xliii) and (xliv). The schedule shall contain
3 a statement of the process to contest assessments as
4 prescribed by W.S. 39-13-109(b)(i);

5

6 **39-13-107. Compliance; collection procedures.**

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8 (b) The following provisions shall apply to the
9 payment of taxes, distraint of property and deferral:

10

11 (i) The following shall apply to the payment of
12 taxes due:

13

14 (C) Annually, on or before October 10 the
15 county treasurer shall send a written statement to each
16 taxpayer by mail at his last known address or, if offered
17 by the county and upon request of the taxpayer, by
18 electronic transmission of the total tax due, itemized as
19 to property description, assessed value and mill levies.
20 The notice shall contain information, including contact
21 information, of any property tax relief program authorized
22 by state law and, if the property is a single family
23 residential structure, the taxes that will be avoided

1 pursuant to the exemptions under W.S. 39-11-105(a)(xliii)
2 and (xliv). Failure to send notice, or to demand payment of
3 taxes, does not invalidate any taxes due;

4

5 **Section 2.** The exemption provided by W.S.
6 39-11-105(a)(xliii) as created in section 1 of this act
7 shall first apply to the tax year beginning January 1,
8 2024. The exemption provided by W.S. 39-15-105(a)(xliv) as
9 created in section 1 of this act shall first apply to the
10 tax year beginning January 1, 2025.

11

12 **Section 3.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17

(END)