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Annual Report and License Tax Rules

The following are the rules that should be followed when calculating the Tax owed when an Annual Report is filed.

Section 1. Definitions.

(a) "Assessed value" is the taxable value of an asset subject to a Wyoming ad valorem tax as defined by W.S. 39-11-101(a)(i) as shown on the annual assessment schedule prepared by the County Assessor. Generally, assets which have an assessed value are reported on line 10 (buildings and other depreciable assets) and line 12 (land) on a corporation's balance sheet.

(b) "Balance sheet value" is the end of tax year value of an asset entered on the company's balance sheet. Balance sheet value shall be reported as contemplated in W.S. 17-16-1630 which states:

(i) "Financial information in the annual report shall be current as of the end of the corporation's fiscal year immediately preceding the date the annual report is executed on behalf of the corporation."

(c) "Capital, property and assets" does not include the value of the corporation's stock, net worth, or the net equity of the corporation. Capital, property and assets means "total assets" from the company's balance sheet (similar to line 15 of Schedule L of IRS Form 1120 or 1120S) for the year most recently ended with three EXCEPTIONS:

(i) For "Depreciable assets" (line 10) use the assessed value for any asset having an assessed value (buildings or improvements) and use balance sheet value less accumulated depreciation for assets with no assessed value. Depreciation shall not be deducted from "assessed value."

(ii) For "Depletable assets" (line 11) like soda, coal, mineral oil, silver or gold, use the "assessed value" of the gross product from the mine or mining claim (amount shown on Wyoming State Department of Revenue annual gross products tax return), not the balance sheet value.

(iii) For "Land" (line 12) use the assessed value not the balance sheet value.

Section 2. Computation of License Tax.

(a) A corporation whose entire assets are located in Wyoming shall complete the worksheet (Appendix 1) and then apply the total asset figure to the following tax schedule. A corporation whose assets are in Wyoming and in other states shall use balance sheet values for any assets located in Wyoming (with the three exceptions described in Section 1 (c) of these rules) and apply the asset figure to the following tax schedule.

(b) The fee is \$50 or two-tenths of one mill on the dollar (\$.0002) whichever is greater.

(c) The worksheet (Appendix 1) is incorporated herein by reference. This worksheet which discloses proprietary information is not a public record under the Public Records Act, W.S. 16-4-203(d)(v), and therefore is not disclosable to the public.

(d) The figures submitted on the Secretary of State's annual report form are public records and will be disclosed.