

H. B. 4094

(By Delegates Michael, Hartman, Caputo,
Romine and Williams)

[Introduced January 17, 2012; referred to the
Committee on Finance.]

**Interim
Bill**

**FISCAL
NOTE**

A BILL to amend and reenact §11-13A-3b of the Code of West
Virginia, 1931, as amended, relating to eliminating the timber
severance tax for an additional three years.

Be it enacted by the Legislature of West Virginia:

That §11-13A-3b of the Code of West Virginia, 1931, as
amended, be amended and reenacted to read as follows:

ARTICLE 13A. SEVERANCE AND BUSINESS PRIVILEGE TAX ACT.

§11-13A-3b. Imposition of tax on privilege of severing timber.

(a) *Imposition of tax.* -- For the privilege of engaging or
continuing within this state in the business of severing timber for
sale, profit or commercial use, there is hereby levied and shall be
collected from every person exercising such privilege an annual
privilege tax.

(b) *Rate and measure of tax.* -- The tax imposed in subsection
(a) of this section shall be three and twenty-two hundredths

1 percent of the gross value of the timber produced, as shown by the
2 gross proceeds derived from the sale thereof by the producer,
3 except as otherwise provided in this article: *Provided*, That as to
4 timber produced after December 31, 2006 the rate of the tax imposed
5 in subsection (a) of this section shall be one and twenty-two
6 hundredths percent of the gross value of the timber produced, as
7 shown by the gross proceeds derived from the sale thereof by the
8 producer, except as otherwise provided in this article.

9 © *Tax in addition to other taxes.* -- The tax imposed by this
10 section shall apply to all persons severing timber in this state
11 and shall be in addition to all other taxes imposed by law.

12 (d) *Elimination of tax.* -- Beginning in the tax year 2010 and
13 continuing for ~~two~~ five consecutive tax years thereafter, the tax
14 imposed by this section is discontinued.

NOTE: The purpose of this bill is to eliminate the timber
severance tax for an additional three years.

Strike-throughs indicate language that would be stricken from
the present law, and underscoring indicates new language that would
be added.

This bill is recommended for passage in the 2012 Regular
Session by the Forest Management Review Commission.