

HOUSE BILL No. 2493

By Committee on Taxation

1-19

1 AN ACT concerning property taxation; relating to classifications of real
2 property; providing certain requirements for property classified for
3 residential purposes and land devoted to agricultural use; amending
4 K.S.A. 79-1439 and repealing the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 79-1439 is hereby amended to read as follows: 79-
8 1439. (a) All real and tangible personal property ~~which~~ *that* is subject to
9 general ad valorem taxation shall be appraised uniformly and equally as to
10 class and, unless otherwise specified herein, shall be appraised at its fair
11 market value, as defined in K.S.A. 79-503a, and amendments thereto.

12 (b) Property shall be classified into the following classes and assessed
13 at the percentage of value prescribed therefor:

14 (1) Real property shall be assessed as to subclass at the following
15 percentages of value:

16 (A) Real property *that is used or intended to be used* for residential
17 purposes *for occupation by humans* including multi-family residential real
18 property, real property necessary to accommodate a residential community
19 of mobile or manufactured homes including the real property upon which
20 such homes are located, residential real property used partially for day care
21 home purposes if such home has been registered or licensed pursuant to
22 K.S.A. 65-501 et seq., and amendments thereto, and real property used for
23 bed and breakfast purposes at 11.5%. As used in this paragraph "bed and
24 breakfast" means a property with five or fewer bedrooms available for
25 overnight guests who stay for not more than 28 consecutive days for which
26 there is compliance with all zoning or other applicable ordinances or laws
27 ~~which that~~ *that* pertain to facilities ~~which that~~ lodge and feed guests;

28 (B) land devoted to agricultural use *that is at least two acres unless*
29 *such parcel is contiguous with a larger parcel devoted to agricultural use*
30 valued pursuant to K.S.A. 79-1476, and amendments thereto, at 30%;

31 (C) vacant lots at 12%;

32 (D) real property ~~which that~~ is owned and operated by a not-for-profit
33 organization not subject to federal income taxation pursuant to section 501
34 of the federal internal revenue code and included herein pursuant to K.S.A.
35 79-1439a, and amendments thereto, at 12%;

36 (E) public utility real property, except railroad property, which shall

1 be assessed at the average rate all other commercial and industrial property
2 is assessed, at 33%. As used in this paragraph, "public utility" ~~shall have~~
3 ~~the meaning ascribed thereto by~~ *means the same as defined in K.S.A. 79-*
4 *5a01, and amendments thereto;*

5 (F) real property used for commercial and industrial purposes and
6 buildings and other improvements located upon land devoted to
7 agricultural use at 25%; and

8 (G) all other urban and rural real property not otherwise specifically
9 subclassed at 30%.

10 (2) Personal property shall be classified into the following classes and
11 assessed at the percentage of value prescribed therefor:

12 (A) Mobile homes used for residential purposes at 11.5%;

13 (B) mineral leasehold interests, except oil leasehold interests the
14 average daily production from which is five barrels or less, and natural gas
15 leasehold interests, the average daily production from which is 100 mcf or
16 less, which shall be assessed at 25%, at 30%;

17 (C) public utility tangible personal property including inventories
18 thereof, except railroad personal property including inventories thereof,
19 which shall be assessed at the average rate all other commercial and
20 industrial property is assessed, at 33%. As used in this paragraph, "public
21 utility" ~~shall have the meaning ascribed thereto by~~ *means the same as*
22 *defined in K.S.A. 79-5a01, and amendments thereto;*

23 (D) all categories of motor vehicles listed and taxed pursuant to
24 K.S.A. 79-306d, and amendments thereto, and, prior to January 1, 2014,
25 over-the-road motor vehicles defined pursuant to K.S.A. 79-6a01, and
26 amendments thereto, at 30%;

27 (E) commercial and industrial machinery and equipment, including
28 rolling equipment defined pursuant to K.S.A. 79-6a01, and amendments
29 thereto, which, if its economic life is seven years or more, shall be valued
30 at its retail cost when new less seven-year straight-line depreciation, or
31 which, if its economic life is less than seven years, shall be valued at its
32 retail cost when new less straight-line depreciation over its economic life,
33 except that, the value so obtained for such property as long as it is being
34 used shall not be less than 20% of the retail cost when new of such
35 property at 25%; and

36 (F) all other tangible personal property not otherwise specifically
37 classified at 30%.

38 Sec. 2. K.S.A. 79-1439 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.