SENATE BILL No. 227

By Committee on Assessment and Taxation

2-9

AN ACT concerning sales and compensating use taxation; relating to the collection and remittance of taxes; allowing for the retention of taxes by a retailer on movie ticket and concession sales.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Notwithstanding any provision of the law to the contrary, commencing on July 1, 2023, and ending prior to July 1, 2025, any retailer in this state that collects sales tax on the admission of viewing of movies or films shall be allowed to retain the state rate of any sales tax imposed pursuant to K.S.A. 79-3603, and amendments thereto, or compensating use tax imposed pursuant to K.S.A. 79-3703, and amendments thereto, from the sales of:

(1) Tickets granting admission for a movie or film; and

(2) Concessions sold onsite at the retailer's place of business.

(b) The retailer shall remit to the department of revenue that portion of sales and compensating use tax collected that is in excess of the state rate for sales tax pursuant to K.S.A. 79-3603, and amendments thereto, or the compensating use tax pursuant to K.S.A. 79-3703, and amendments thereto. The department shall remit the sales and compensating use taxes levied by the other taxing jurisdictions in the amount they would have received without taking into account subsection (a). The state's imposed sales tax levy shall encompass the full amount retained by the retailer pursuant to subsection (a).

(c) The department shall provide forms accounting for the sales tax retained by the retailer that shall be filed with the department at the time the retailer files a return pursuant to K.S.A. 79-3607, and amendments thereto.

(d) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.