

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **HB 2643**, As Amended by House Committee of the Whole, (Corrected), and as amended in the Committee of the Whole, on April 4, 2014, by an amendment designated as "fa_2014_hb2463_s_4499" by striking all of subsection *Thirteenth* in Sec. 13. and inserting:

"Thirteenth. For all taxable years commencing after December 31, 2014, all real property owned and operated by a health club in the state of Kansas, except in any county where the total appraised value of real property exempt from ad valorem taxation exceeds 25% of the total appraised value of real property in that county. For purposes of this section, "health club" means any corporation, partnership, unincorporated association or other business enterprise whose primary purpose is to offer facilities that contain cardio, weight training or strength and conditioning equipment, or both, for the preservation, maintenance, encouragement or development of physical fitness in return for the payment of a fee which entitles the buyer to the use of such facilities. A health club may have on such club's premises health spas, studios, tennis, racquet or basketball facilities or swimming pools that offer programs that enhance the primary purpose of the health club as specified in this subsection; but may not be facilities that are primarily weight control facilities, health spas, dance studios, martial arts or self-defense studios, tennis, racquet or basketball facilities, swimming pools, golf clubs or similar activities which do not have the primary purpose as specified in this subsection. For purposes of this subsection, real property shall be considered "owned and operated by a health club" if the owner of the real property to be exempted from taxation and the business enterprise that operates the health club and collects the payment of the fee entitling the buyer to use the facility are the same business entity, a parent or subsidiary of the same business entity or have any direct or indirect common ownership. This

exemption shall not apply to any real property in a redevelopment district established pursuant to K.S.A. 12-1770 et seq., and amendments thereto, established prior to July 1, 2014, until such time as the redevelopment district is terminated or expires."

Senator _____