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Date: February 20, 2020
To: Senator Caryn Tyson, Chairwoman, Senate Assessment and Taxation Committee
From: Shahira Stafford, Kansas Cooperative Council
RE: Senate Bill 309, placing burden of proof on county appraiser in certain valuation and classification appeal hearings before the district court

Madam Chair and Members of the Committee,

Thank you for allowing me to testify in support of Senate Bill 309. My name is Shahira Stafford, and I am here on behalf of the Kansas Cooperative Council (KCC). The KCC represents all types of cooperative businesses including agriculture, utility, financial, and consumer coops.

As you are aware by now, our agricultural cooperatives in particular have been battling against drastically high property taxes on their commercial grain storage in recent years. We greatly appreciate the Chairwoman for allowing the grain industry to voice their concerns during informational hearings in 2018.

Since then, the KCC, along with our friends at the Kansas Grain and Feed Association, have continued difficult, yet productive discussions with the Kansas Department of Revenue's Property Valuation Division (PVD) on revisions to their Grain Elevator Property Valuation Guide. This guide is used by county appraisers across the state in determining how these complex properties are assessed and valued.

While we are making progress, there is much more work to be done. Many of our members are still seeing sharp hikes in their appraised valuations and continue to muddle through the long and arduous appeals process.

Current law allows a taxpayer to appeal a decision by the Board of Tax Appeals for a new trial with the district court. As we understand it, Kansas statutes are not clear regarding which party carries the burden of proof in certain valuation matters, thus the parties have had to rely upon various Kansas case law regarding burden of proof in classification disputes. **SB 309 would clarify in statute that the county appraiser bears the burden of proof in determining the taxpayer's classification of personal or real property, and thus their property tax valuation.**

The KCC believes that SB 309 is another step toward removing barriers to property tax relief that our members and all Kansans so desperately need. Thank you for allowing us to comment today, and I'd be happy to stand for questions when appropriate.