

Substitute for SENATE BILL No. 383

By Committee on Assessment and Taxation

2-26

9 AN ACT concerning property taxation; relating to exemptions; certain
10 housing for the elderly or persons with disabilities or low income hous-
11 ing; amending K.S.A. 2007 Supp. 79-201z and repealing the existing
12 section.
13

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

15 Section 1. K.S.A. 2007 Supp. 79-201z is hereby amended to read as
16 follows: 79-201z. The following described property, to the extent herein
17 specified, shall be and is exempt from all property or ad valorem taxes
18 levied under the laws of the state of Kansas:

19 (a) (1) All real property and tangible personal property actually and
20 primarily used for housing for the elderly, persons with disabilities or
21 persons with limited or low income, ~~which is owned solely and operated~~
22 ~~by an organization recognized as a community housing development or~~
23 ~~organization by the Kansas housing resource corporation and organized not~~
24 ~~for-profit under the laws of the state of Kansas or by a corporation or~~
25 ~~organized not-for-profit under the laws of another state and duly admitted~~
26 ~~to engage in business in this state as a foreign, not-for-profit corporation~~
27 *provided:*

28 (A) *The property is owned solely and operated by a limited partner-*
29 *ship, a limited liability company, an organization recognized as a com-*
30 *munity housing development organization by the Kansas housing resource*
31 *corporation, or a corporation, each formed for the purpose of development*
32 *of low income housing. Low income housing means housing for persons*
33 *with income at or below 80% of area median income;*

34 (B) *the development utilizes income tax credits under section 42 of*
35 *the federal internal revenue code of 1986 or the home investment part-*
36 *nership program or other funding sources available for low income hous-*
37 *ing; and*

38 (C) *the sole general partner, the sole managing member or the cor-*
39 *poration itself is organized not-for-profit under the laws of the state of*
40 *Kansas or under the laws of another state and duly admitted to engage*
41 *in business in Kansas as a foreign, not-for-profit organization and is rec-*
42 *ognized as a charitable tax exempt organization by the internal revenue*
43 *service pursuant to section 501(c)(3) of the federal internal revenue code*

1 *of 1986.*

2 (2) For purposes of this subsection, such property shall meet housing
3 quality standards as defined by the United States department of housing
4 and urban development and shall be lowcost housing at or below fair
5 market rent.

6 (b) The provisions of subsection (a) shall apply to all taxable years
7 commencing after December 31, 2004.

8 Sec. 2. K.S.A. 2007 Supp. 79-201z is hereby repealed.

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