

## HOUSE BILL No. 2269

By Committee on Taxation

2-4

9 AN ACT concerning property taxation; relating to exemptions; certain  
10 housing for the elderly, persons with disabilities or persons with low  
11 income; amending K.S.A. 2008 Supp. 79-201z and repealing the ex-  
12 isting section.  
13

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

15 Section 1. K.S.A. 2008 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) (I) 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 low cost 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. 2008 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.