

SESSION OF 2006

SUPPLEMENTAL NOTE ON SENATE BILL NO. 359

As Amended by House Committee
on Taxation

Brief*

SB 359 would remove statutory limits relative to the maximum amount of money that can be held in various tax refund funds administered by the Department of Revenue, including refund funds for cigarette, motor fuel, income, sales, use, motor carrier property, transient guest, estate, severance, bingo, and liquor drink taxes.

The bill also would require district courts to award attorneys' fees and costs to a taxpayer in cases when the county appeals a decision of the State Board of Tax Appeals (SBOTA) and the taxpayer prevails.

Background

The Department of Revenue asked for the introduction of and appeared in support of the original bill. During testimony, a representative of the Department noted that the limits were enacted many years ago and were not consistent with the dollar volume flowing through the refund funds in today's environment.

A fiscal note prepared by the Budget Division indicated that the original bill would have an unknown fiscal impact relative to the authorization for more revenues to remain in refund funds.

The House Committee amended the bill to include the contents of SB 423 as it was introduced. This bill dealt with the awarding of attorney's fees and costs to a taxpayer in certain circumstances.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>