

HOUSE BILL No. 2385

By Committee on Taxation

2-28

1 AN ACT concerning property taxation; relating to exemptions and
2 classification; bed and breakfast homes; amending K.S.A. 2012 Supp.
3 79-1439 and repealing the existing section.
4

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

6 Section 1. K.S.A. 2012 Supp. 79-1439 is hereby amended to read as
7 follows: 79-1439. (a) All real and tangible personal property which is
8 subject to general ad valorem taxation shall be appraised uniformly and
9 equally as to class and, unless otherwise specified herein, shall be
10 appraised at its fair market value, as defined in K.S.A. 79-503a, and
11 amendments thereto.

12 (b) Property shall be classified into the following classes and assessed
13 at the percentage of value prescribed therefor:

14 (1) Real property shall be assessed as to subclass at the following
15 percentages of value:

16 (A) Real property used for residential purposes including multi-
17 family residential real property, real property necessary to accommodate a
18 residential community of mobile or manufactured homes including the real
19 property upon which such homes are located, residential real property used
20 partially for day care home purposes if such home has been registered or
21 licensed pursuant to K.S.A. 65-501 et seq., and amendments thereto, and
22 residential real property used ~~partially~~ for bed and breakfast ~~home~~
23 purposes at 11.5%. As used in this paragraph "bed and breakfast ~~home~~"
24 means ~~a residence~~ with any structure, and a total of five or fewer
25 bedrooms available for overnight guests who stay for not more than 28
26 consecutive days for which there is compliance with all zoning or other
27 applicable ordinances or laws which pertain to facilities which lodge and
28 feed guests;

29 (B) land devoted to agricultural use valued pursuant to K.S.A. 79-
30 1476, and amendments thereto, at 30%;

31 (C) vacant lots at 12%;

32 (D) real property which is owned and operated by a not-for-profit
33 organization not subject to federal income taxation pursuant to section 501
34 of the federal internal revenue code and included herein pursuant to K.S.A.
35 79-1439a, and amendments thereto, at 12%;

36 (E) public utility real property, except railroad property which shall

1 be assessed at the average rate all other commercial and industrial property
2 is assessed, at 33%. As used in this paragraph, "public utility" shall have
3 the meaning ascribed thereto by K.S.A. 79-5a01, and amendments thereto;

4 (F) real property used for commercial and industrial purposes and
5 buildings and other improvements located upon land devoted to
6 agricultural use at 25%; and

7 (G) all other urban and rural real property not otherwise specifically
8 subclassed at 30%.

9 (2) Personal property shall be classified into the following classes and
10 assessed at the percentage of value prescribed therefor:

11 (A) Mobile homes used for residential purposes at 11.5%;

12 (B) mineral leasehold interests, except oil leasehold interests the
13 average daily production from which is five barrels or less, and natural gas
14 leasehold interests, the average daily production from which is 100 mcf or
15 less, which shall be assessed at 25%, at 30%;

16 (C) public utility tangible personal property including inventories
17 thereof, except railroad personal property including inventories thereof,
18 which shall be assessed at the average rate all other commercial and
19 industrial property is assessed, at 33%. As used in this paragraph, "public
20 utility" shall have the meaning ascribed thereto by K.S.A. 79-5a01, and
21 amendments thereto;

22 (D) all categories of motor vehicles listed and taxed pursuant to
23 K.S.A. 79-306d, and amendments thereto, and, prior to January 1, 2014,
24 over-the-road motor vehicles defined pursuant to K.S.A. 79-6a01, and
25 amendments thereto, at 30%;

26 (E) commercial and industrial machinery and equipment, including
27 rolling equipment defined pursuant to K.S.A. 79-6a01, and amendments
28 thereto, which, if its economic life is seven years or more, shall be valued
29 at its retail cost when new less seven-year straight-line depreciation, or
30 which, if its economic life is less than seven years, shall be valued at its
31 retail cost when new less straight-line depreciation over its economic life,
32 except that, the value so obtained for such property as long as it is being
33 used shall not be less than 20% of the retail cost when new of such
34 property at 25%; and

35 (F) all other tangible personal property not otherwise specifically
36 classified at 30%.

37 Sec. 2. K.S.A. 2012 Supp. 79-1439 is hereby repealed.

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