

HOUSE BILL No. 2427

By Committee on Taxation

5-4

1 AN ACT concerning taxation; relating to motor vehicle fuel taxes, rates,
2 permits, refunds and distribution of; sales and compensating tax,
3 distribution; amending K.S.A. 79-3453 and K.S.A. 2014 Supp. 79-
4 3408, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-3620 and 79-
5 3710 and repealing the existing sections.
6

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

8 Section 1. K.S.A. 2014 Supp. 79-3408 is hereby amended to read as
9 follows: 79-3408. (a) A tax per gallon or fraction thereof, at the rate
10 computed as prescribed in K.S.A. 79-34,141, and amendments thereto, is
11 hereby imposed on the use, sale or delivery of all motor-vehicle fuels or
12 special fuels which are used, sold or delivered in this state for any purpose
13 whatsoever.

14 (b) Unless otherwise specified in K.S.A. 79-3408c, and amendments
15 thereto, the incidence of this tax is imposed on the distributor of the first
16 receipt of the motor fuel and such taxes shall be paid but once. Such tax
17 shall be computed on all motor-vehicle fuels or special fuels received by
18 each distributor, manufacturer or importer in this state or imported by any
19 distributor, manufacturer or importer into this state and paid in the manner
20 provided for herein, except that an allowance of 2.5% shall be made and
21 deducted by the distributor to cover all ordinary losses which may have
22 resulted from physical loss while handling such motor-vehicle fuels or
23 special fuels. No such allowance shall be made on any motor-vehicle fuel
24 or special fuel exported from the state or sold to the United States of
25 America or any of its agencies or instrumentalities as are now or
26 hereinafter exempt by law from liability to state taxation. No such
27 allowance shall be made for any motor-vehicle fuel or special fuel sold or
28 disposed of to a consumer in tank car, transport or pipeline lots. As used in
29 this subsection, the term "distributor of the first receipt" shall include
30 distributors, manufacturers and importers that import motor-vehicle fuels
31 or special fuels into Kansas.

32 (c) No tax is hereby imposed upon or with respect to the following
33 transactions:

34 (1) The sale or delivery of motor-vehicle fuel or special fuel for
35 export from the state of Kansas to any other state or territory or to any
36 foreign country.

1 (2) The sale or delivery of motor-vehicle fuel or special fuel to the
2 United States of America and such of its agencies as are now or hereafter
3 exempt by law from liability to state taxation.

4 (3) The sale or delivery of motor-vehicle fuel or special fuel to a
5 contractor for use in performing work for the United States or those
6 agencies of the United States above mentioned, provided such contractor
7 has in effect with the United States or any such agency a cost-plus-a-fixed-
8 fee contract covering the work.

9 (4) The sale or delivery of motor-vehicle fuel or special fuel which is
10 aviation fuel.

11 (5) The first sale or delivery of motor-vehicle fuel or special fuel
12 from a refinery, pipeline terminal, pipeline tank farm or other place to a
13 duly licensed distributor who in turn resells to another duly licensed
14 distributor.

15 ~~(6) The sale or delivery of special fuel which is indelibly dyed in~~
16 ~~accordance with regulations prescribed pursuant to 26 U.S.C. § 4082 and~~
17 ~~such special fuel is only used for nonhighway purposes.~~

18 ~~(7) The sale of kerosene used as a fuel only to power antique steam~~
19 ~~motor vehicles first manufactured prior to 1940.~~

20 (d) Each distributor, manufacturer, importer, exporter or retailer shall
21 make full reports and furnish such further information as the director may
22 require with reference to all transactions upon which no tax is to be paid.

23 Sec. 2. K.S.A. 79-3453 is hereby amended to read as follows: 79-
24 3453. (a) Any person who uses any motor-vehicle fuels or special fuels on
25 which the motor-fuel or special fuel tax has been paid for use in school
26 buses or for any purpose other than operating motor vehicles on the public
27 highways, ~~such person~~ shall be entitled to ~~be refunded~~ *a partial refund* of
28 the tax paid, *as calculated pursuant to subsection (b)*, upon complying
29 with the requirements of this act. Such person shall not be entitled to a
30 refund of such tax unless the amount of the refund exceeds \$25. The words
31 "licensed distributor," as used in this act, shall also include a licensed
32 importer.

33 (b) *The refund of tax paid pursuant to this section shall be calculated*
34 *at the rate of the tax per gallon, or fraction thereof, provided in K.S.A. 79-*
35 *34,141, and amendments thereto, less \$.05.*

36 Sec. 3. K.S.A. 2014 Supp. 79-3492b is hereby amended to read as
37 follows: 79-3492b. Alternatively to the methods otherwise set forth in this
38 act, special LP-gas permit users operating motor vehicles on the public
39 highways of this state may upon application to the director on forms
40 prescribed by the director elect to pay taxes in advance on LP-gas for each
41 and every motor vehicle owned or operated by them and propelled in
42 whole or in part with LP-gas during the calendar year and thereafter to
43 purchase LP-gas tax free in lieu of securing a bonded user's permit and

1 filing monthly reports and tax payments and keeping the records otherwise
2 provided for in this act. The amount of such tax for each motor vehicle
3 shall, except as otherwise provided, be based upon the gross weight of the
4 motor vehicle and the number of miles it was operated on the public
5 highways of this state during the previous year pursuant to the following
6 schedules:

1 (b) On and after July 1, 2018:

less than 5,000 miles	\$46.00	5,000 to 10,000 miles	\$92.00	10,001 to 15,000 miles	\$138.00	15,001 to 19,999 miles	\$184.00	20,000 to 29,999 miles	\$276.00	30,000 to 39,999 miles	\$368.00	40,000 to 49,999 miles	\$460.00	50,000 to 59,999 miles	\$552.00	60,000 and over	\$644.00		
Class A: 3,000 pounds or less	\$78.00	Class B: more than 3,000 pounds and not more than 4,500 pounds	\$156.00	Class C: more than 4,500 pounds and not more than 12,000 pounds	\$189.00	Class D: more than 12,000 pounds and not more than 16,000 pounds	\$258.00	Class E: more than 16,000 pounds and not more than 24,000 pounds	\$330.00	Class F: more than 24,000 pounds and not more than 36,000 pounds	\$460.00	Class G: more than 36,000 pounds and not more than 48,000 pounds	\$570.00	Class H: more than 48,000 pounds	\$768.00	Class I: transit carrier vehicles operated by transit companies	\$1,808.00	Class J: motor vehicles designed for carrying fewer than 10 passengers and used for the transportation of persons for compensation.	\$939.00
	\$46.00	\$78.00	\$156.00	\$189.00	\$258.00	\$330.00	\$460.00	\$570.00	\$768.00	\$1,140.00	\$1,548.00	\$1,980.00	\$2,310.00	\$2,760.00	\$3,220.00	\$3,990.00	\$5,376.00		
	\$184.00	\$312.00	\$468.00	\$780.00	\$950.00	\$1,140.00	\$1,290.00	\$1,650.00	\$1,980.00	\$2,310.00	\$2,760.00	\$3,220.00	\$3,990.00	\$5,376.00	\$1,808.00	\$939.00			

1 In the event any additional motor vehicles equipped to use LP-gas as a
2 fuel are placed in operation by a special LP-gas permit user after the first
3 month of any calendar year, a tax shall become due and payable to this
4 state and is hereby imposed at the tax rate prescribed herein prorated on
5 the basis of the weight and mileage for the months operated in the calendar
6 year. The director shall issue special permit decals for each motor vehicle
7 on which taxes have been paid in advance as provided herein, which shall
8 be affixed on each such vehicle in the manner prescribed by the director.

9 Sec. 4. K.S.A. 2014 Supp. 79-34,118 is hereby amended to read as
10 follows: 79-34,118. Upon application to the director of taxation and
11 payment of the fee prescribed under this section any interstate motor fuel
12 user may obtain a 24-hour motor fuel permit or a 72-hour motor fuel
13 permit which shall authorize one commercial motor vehicle to be operated
14 for a period of 24-hours or 72-hours, respectively, without compliance
15 with the other provisions of the interstate motor fuel use act and in lieu of
16 the tax imposed by K.S.A. 79-34,109, and amendments thereto. The fee
17 for each 24-hour motor fuel permit issued under this section shall be
18 *\$15.50 until July 1, 2018, and \$13 thereafter.* The fee for each 72-hour
19 motor fuel permit issued under this section shall be *\$27.50 until July 1,*
20 *2018, and \$25 thereafter.* Motor fuel permits may be purchased in
21 multiples of three upon making proper application and payment of the
22 required fees. The secretary of revenue shall adopt rules and regulations
23 specifying the conditions under which motor fuel permits will be issued
24 and providing for the issuance thereof. The secretary may designate agents
25 or contract with private individuals, firms or corporations to issue such
26 motor fuel permits so that such permits will be obtainable at convenient
27 locations.

28 Sec. 5. K.S.A. 2014 Supp. 79-34,141 is hereby amended to read as
29 follows: 79-34,141. *(a) On and after July 1, 2015, and before July 1, 2018,*
30 *the tax imposed under this act shall be not less than:*

- 31 *(1) On motor-vehicle fuels other than E85 fuels, \$.29 per gallon, or*
32 *fraction thereof;*
- 33 *(2) on special fuels, \$.31 per gallon, or fraction thereof;*
- 34 *(3) on LP-gas, other than compressed natural gas and liquefied*
35 *natural gas, \$.28 per gallon, or fraction thereof;*
- 36 *(4) on E85 fuels, \$.22 per gallon, or fraction thereof;*
- 37 *(5) on compressed natural gas, \$.29 per gallon, or fraction thereof;*
- 38 *(6) on liquefied natural gas, \$.31 per gallon, or fraction thereof; and*
- 39 *(7) on special fuel which is indelibly dyed in accordance with*
40 *regulations prescribed pursuant to U.S.C. § 4082, and such fuel is only*
41 *used for nonhighway purposes, \$.05 per gallon, or fraction thereof.*

42 *(b) On and after July 1, 2018, the tax imposed under this act shall be*
43 *not less than:*

1 (1) On motor-vehicle fuels other than E85 fuels, \$.24 per gallon, or
2 fraction thereof;

3 (2) on special fuels, \$.26 per gallon, or fraction thereof;

4 (3) on LP-gas, other than compressed natural gas and liquefied
5 natural gas, \$.23 per gallon, or fraction thereof;

6 (4) on E85 fuels, \$.17 per gallon, or fraction thereof;

7 (5) on compressed natural gas, \$.24 per gallon, or fraction thereof;
8 ~~and~~

9 (6) on liquefied natural gas, \$.26 per gallon, or fraction thereof; *and*

10 (7) *on special fuel which is indelibly dyed in accordance with*
11 *regulations prescribed pursuant to U.S.C. § 4082, and such fuel is only*
12 *used for nonhighway purposes, \$.05 per gallon, or fraction thereof.*

13 Sec. 6. K.S.A. 2014 Supp. 79-34,142 is hereby amended to read as
14 follows: 79-34,142. The state treasurer shall credit amounts received
15 pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and 79-34,118,
16 and amendments thereto, as follows: *Prior to July 1, 2016, to the state*
17 *highway fund* ~~66.37%~~ *72.58%* *and to the special city and county highway*
18 *fund* ~~33.63%~~ *27.42%*; *prior to July 1, 2018, to the state highway fund*
19 *72.95% and to the special city and county highway fund 27.05%; on and*
20 *after July 1, 2018, to the state highway fund 66.37% and to the special city*
21 *and county highway fund 33.63%.*

22 Sec. 7. K.S.A. 2014 Supp. 79-3620 is hereby amended to read as
23 follows: 79-3620. (a) All revenue collected or received by the director of
24 taxation from the taxes imposed by this act shall be remitted to the state
25 treasurer in accordance with the provisions of K.S.A. 75-4215, and
26 amendments thereto. Upon receipt of each such remittance, the state
27 treasurer shall deposit the entire amount in the state treasury, less amounts
28 withheld as provided in subsection (b) and amounts credited as provided in
29 subsections (c), (d) and (e), to the credit of the state general fund.

30 (b) A refund fund, designated as "sales tax refund fund" not to exceed
31 \$100,000 shall be set apart and maintained by the director from sales tax
32 collections and estimated tax collections and held by the state treasurer for
33 prompt payment of all sales tax refunds. Such fund shall be in such
34 amount, within the limit set by this section, as the director shall determine
35 is necessary to meet current refunding requirements under this act. In the
36 event such fund as established by this section is, at any time, insufficient to
37 provide for the payment of refunds due claimants thereof, the director shall
38 certify the amount of additional funds required to the director of accounts
39 and reports who shall promptly transfer the required amount from the state
40 general fund to the sales tax refund fund, and notify the state treasurer,
41 who shall make proper entry in the records.

42 (c) (1) ~~The state treasurer shall credit ^{5/98} of the revenue collected or~~
43 ~~received from the tax imposed by K.S.A. 79-3603, and amendments~~

1 thereto, at the rate of 4.9%, and deposited as provided in subsection (a),
2 exclusive of amounts credited pursuant to subsection (d), in the state
3 highway fund.

4 ~~(2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or~~
5 ~~received from the tax imposed by K.S.A. 79-3603, and amendments~~
6 ~~thereto, at the rate of 5.3%, and deposited as provided in subsection (a),~~
7 ~~exclusive of amounts credited pursuant to subsection (d), in the state~~
8 ~~highway fund.~~

9 (3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the revenue
10 collected and received from the tax imposed by K.S.A. 79-3603, and
11 amendments thereto, at the rate of 5.3%, and deposited as provided by
12 subsection (a), exclusive of amounts credited pursuant to subsection (d), in
13 the state highway fund.

14 (4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the revenue
15 collected and received from the tax imposed by K.S.A. 79-3603, and
16 amendments thereto, at the rate of 5.3%, and deposited as provided by
17 subsection (a), exclusive of amounts credited pursuant to subsection (d), in
18 the state highway fund.

19 (5) On July 1, 2010, the state treasurer shall credit 11.427% of the
20 revenue collected and received from the tax imposed by K.S.A. 79-3603,
21 and amendments thereto, at the rate of 6.3%, and deposited as provided by
22 subsection (a), exclusive of amounts credited pursuant to subsection (d), in
23 the state highway fund.

24 (6)(2) On July 1, 2011, the state treasurer shall credit 11.26% of the
25 revenue collected and received from the tax imposed by K.S.A. 79-3603,
26 and amendments thereto, at the rate of 6.3%, and deposited as provided by
27 subsection (a), exclusive of amounts credited pursuant to subsection (d), in
28 the state highway fund.

29 (7)(3) On July 1, 2012, the state treasurer shall credit 11.233% of the
30 revenue collected and received from the tax imposed by K.S.A. 79-3603,
31 and amendments thereto, at the rate of 6.3%, and deposited as provided by
32 subsection (a), exclusive of amounts credited pursuant to subsection (d), in
33 the state highway fund.

34 (8)(4) On July 1, 2013, ~~and thereafter~~, the state treasurer shall credit
35 17.073% of the revenue collected and received from the tax imposed by
36 K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and
37 deposited as provided by subsection (a), exclusive of amounts credited
38 pursuant to subsection (d), in the state highway fund.

39 (5) *On July 1, 2015, the state treasurer shall credit 14.430% of the*
40 *revenue collected and received from the tax imposed by K.S.A. 79-3603,*
41 *and amendments thereto, at the rate of 6.15%, and deposited as provided*
42 *by subsection (a), exclusive of amounts credited pursuant to subsection*
43 *(d), in the state highway fund.*

1 (6) *On July 1, 2016, the state treasurer shall credit 14.335% of the*
2 *revenue collected and received from the tax imposed by K.S.A. 79-3603,*
3 *and amendments thereto, at the rate of 6.15%, and deposited as provided*
4 *by subsection (a), exclusive of amounts credited pursuant to subsection*
5 *(d), in the state highway fund.*

6 (7) *On July 1, 2017, the state treasurer shall credit 14.430% of the*
7 *revenue collected and received from the tax imposed by K.S.A. 79-3603,*
8 *and amendments thereto, at the rate of 6.15%, and deposited as provided*
9 *by subsection (a), exclusive of amounts credited pursuant to subsection*
10 *(d), in the state highway fund.*

11 (8) *On July 1, 2018, and thereafter, the state treasurer shall credit*
12 *17.073% of the revenue collected and received from the tax imposed by*
13 *K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and*
14 *deposited as provided by subsection (a), exclusive of amounts credited*
15 *pursuant to subsection (d), in the state highway fund.*

16 (d) The state treasurer shall credit all revenue collected or received
17 from the tax imposed by K.S.A. 79-3603, and amendments thereto, as
18 certified by the director, from taxpayers doing business within that portion
19 of a STAR bond project district occupied by a STAR bond project or
20 taxpayers doing business with such entity financed by a STAR bond
21 project as defined in K.S.A. 2014 Supp. 12-17,162, and amendments
22 thereto, that was determined by the secretary of commerce to be of
23 statewide as well as local importance or will create a major tourism area
24 for the state or the project was designated as a STAR bond project as
25 defined in K.S.A. 2014 Supp. 12-17,162, and amendments thereto, to the
26 city bond finance fund, which fund is hereby created. The provisions of
27 this subsection shall expire when the total of all amounts credited
28 hereunder and under ~~subsection (d)~~ of K.S.A. 79-3710(d), and
29 amendments thereto, is sufficient to retire the special obligation bonds
30 issued for the purpose of financing all or a portion of the costs of such
31 STAR bond project.

32 (e) All revenue certified by the director of taxation as having been
33 collected or received from the tax imposed by ~~subsection (e)~~ of K.S.A. 79-
34 3603(c), and amendments thereto, on the sale or furnishing of gas, water,
35 electricity and heat for use or consumption within the intermodal facility
36 district described in this subsection, shall be credited by the state treasurer
37 to the state highway fund. Such revenue may be transferred by the
38 secretary of transportation to the rail service improvement fund pursuant to
39 law. The provisions of this subsection shall take effect upon certification
40 by the secretary of transportation that a notice to proceed has been
41 received for the construction of the improvements within the intermodal
42 facility district, but not later than December 31, 2010, and shall expire
43 when the secretary of revenue determines that the total of all amounts

1 credited hereunder and pursuant to ~~subsection (e)~~ of K.S.A. 79-3710(e),
2 and amendments thereto, is equal to \$53,300,000, but not later than
3 December 31, 2045. Thereafter, all revenues shall be collected and
4 distributed in accordance with applicable law. For all tax reporting periods
5 during which the provisions of this subsection are in effect, none of the
6 exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto,
7 shall apply to the sale or furnishing of any gas, water, electricity and heat
8 for use or consumption within the intermodal facility district. As used in
9 this subsection, "intermodal facility district" shall consist of an intermodal
10 transportation area as defined by ~~subsection (oo)~~ of K.S.A. 12-1770a(oo),
11 and amendments thereto, located in Johnson county within the polygonal-
12 shaped area having Waverly Road as the eastern boundary, 191st Street as
13 the southern boundary, Four Corners Road as the western boundary, and
14 Highway 56 as the northern boundary, and the polygonal-shaped area
15 having Poplar Road as the eastern boundary, 183rd Street as the southern
16 boundary, Waverly Road as the western boundary, and the BNSF mainline
17 track as the northern boundary, that includes capital investment in an
18 amount exceeding \$150 million for the construction of an intermodal
19 facility to handle the transfer, storage and distribution of freight through
20 railway and trucking operations.

21 Sec. 8. K.S.A. 2014 Supp. 79-3710 is hereby amended to read as
22 follows: 79-3710.(a) All revenue collected or received by the director
23 under the provisions of this act shall be remitted to the state treasurer in
24 accordance with the provisions of K.S.A. 75-4215, and amendments
25 thereto. Upon receipt of each such remittance, the state treasurer shall
26 deposit the entire amount in the state treasury, less amounts set apart as
27 provided in subsection (b) and amounts credited as provided in subsection
28 (c), (d) and (e), to the credit of the state general fund.

29 (b) A revolving fund, designated as "compensating tax refund fund"
30 not to exceed \$10,000 shall be set apart and maintained by the director
31 from compensating tax collections and estimated tax collections and held
32 by the state treasurer for prompt payment of all compensating tax refunds.
33 Such fund shall be in such amount, within the limit set by this section, as
34 the director shall determine is necessary to meet current refunding
35 requirements under this act.

36 (c) (1) ~~The state treasurer shall credit $\frac{5}{98}$ of the revenue collected or~~
37 ~~received from the tax imposed by K.S.A. 79-3703, and amendments~~
38 ~~thereto, at the rate of 4.9%, and deposited as provided in subsection (a),~~
39 ~~exclusive of amounts credited pursuant to subsection (d), in the state~~
40 ~~highway fund.~~

41 (2) ~~The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or~~
42 ~~received from the tax imposed by K.S.A. 79-3703, and amendments~~
43 ~~thereto, at the rate of 5.3%, and deposited as provided in subsection (a),~~

1 ~~exclusive of amounts credited pursuant to subsection (d), in the state~~
2 ~~highway fund.~~

3 ~~(3) On July 1, 2006, the state treasurer shall credit ¹⁹/₂₆₅ of the revenue~~
4 ~~collected or received from the tax imposed by K.S.A. 79-3703, and~~
5 ~~amendments thereto, at the rate of 5.3%, and deposited as provided by~~
6 ~~subsection (a), exclusive of amounts credited pursuant to subsection (d), in~~
7 ~~the state highway fund.~~

8 ~~(4) On July 1, 2007, the state treasurer shall credit ¹³/₇₁₀₆ of the revenue~~
9 ~~collected or received from the tax imposed by K.S.A. 79-3703, and~~
10 ~~amendments thereto, at the rate of 5.3%, and deposited as provided by~~
11 ~~subsection (a), exclusive of amounts credited pursuant to subsection (d), in~~
12 ~~the state highway fund.~~

13 ~~(5) On July 1, 2010, the state treasurer shall credit 11.427% of the~~
14 ~~revenue collected and received from the tax imposed by K.S.A. 79-3703,~~
15 ~~and amendments thereto, at the rate of 6.3%, and deposited as provided by~~
16 ~~subsection (a), exclusive of amounts credited pursuant to subsection (d), in~~
17 ~~the state highway fund.~~

18 ~~(6)(2) On July 1, 2011, the state treasurer shall credit 11.26% of the~~
19 ~~revenue collected and received from the tax imposed by K.S.A. 79-3703,~~
20 ~~and amendments thereto, at the rate of 6.3%, and deposited as provided by~~
21 ~~subsection (a), exclusive of amounts credited pursuant to subsection (d), in~~
22 ~~the state highway fund.~~

23 ~~(7)(3) On July 1, 2012, the state treasurer shall credit 11.233% of the~~
24 ~~revenue collected and received from the tax imposed by K.S.A. 79-3703,~~
25 ~~and amendments thereto, at the rate of 6.3%, and deposited as provided by~~
26 ~~subsection (a), exclusive of amounts credited pursuant to subsection (d), in~~
27 ~~the state highway fund.~~

28 ~~(8)(4) On July 1, 2013, and thereafter, the state treasurer shall credit~~
29 ~~17.073% of the revenue collected and received from the tax imposed by~~
30 ~~K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and~~
31 ~~deposited as provided by subsection (a), exclusive of amounts credited~~
32 ~~pursuant to subsection (d), in the state highway fund.~~

33 ~~(5) On July 1, 2015, the state treasurer shall credit 14.430% of the~~
34 ~~revenue collected and received from the tax imposed by K.S.A. 79-3703,~~
35 ~~and amendments thereto, at the rate of 6.15%, and deposited as provided~~
36 ~~by subsection (a), exclusive of amounts credited pursuant to subsection~~
37 ~~(d), in the state highway fund.~~

38 ~~(6) On July 1, 2016, the state treasurer shall credit 14.335% of the~~
39 ~~revenue collected and received from the tax imposed by K.S.A. 79-3703,~~
40 ~~and amendments thereto, at the rate of 6.15%, and deposited as provided~~
41 ~~by subsection (a), exclusive of amounts credited pursuant to subsection~~
42 ~~(d), in the state highway fund.~~

43 ~~(7) On July 1, 2017, the state treasurer shall credit 14.430% of the~~

1 *revenue collected and received from the tax imposed by K.S.A. 79-3703,*
2 *and amendments thereto, at the rate of 6.15%, and deposited as provided*
3 *by subsection (a), exclusive of amounts credited pursuant to subsection*
4 *(d), in the state highway fund.*

5 *(8) On July 1, 2018, and thereafter, the state treasurer shall credit*
6 *17.073% of the revenue collected and received from the tax imposed by*
7 *K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and*
8 *deposited as provided by subsection (a), exclusive of amounts credited*
9 *pursuant to subsection (d), in the state highway fund.*

10 (d) The state treasurer shall credit all revenue collected or received
11 from the tax imposed by K.S.A. 79-3703, and amendments thereto, as
12 certified by the director, from taxpayers doing business within that portion
13 of a redevelopment district occupied by a redevelopment project that was
14 determined by the secretary of commerce to be of statewide as well as
15 local importance or will create a major tourism area for the state as defined
16 in K.S.A. 12-1770a, and amendments thereto, to the city bond finance
17 fund created by ~~subsection (d) of K.S.A. 79-3620(d)~~, and amendments
18 thereto. The provisions of this subsection shall expire when the total of all
19 amounts credited hereunder and under ~~subsection (d) of K.S.A. 79-~~
20 ~~3620(d)~~, and amendments thereto, is sufficient to retire the special
21 obligation bonds issued for the purpose of financing all or a portion of the
22 costs of such redevelopment project.

23 This subsection shall not apply to a project designated as a special bond
24 project as defined in ~~subsection (z) of K.S.A. 12-1770a(z)~~, and
25 amendments thereto.

26 (e) All revenue certified by the director of taxation as having been
27 collected or received from the tax imposed by ~~subsection (e) of K.S.A. 79-~~
28 ~~3603(c)~~, and amendments thereto, on the sale or furnishing of gas, water,
29 electricity and heat for use or consumption within the intermodal facility
30 district described in this subsection, shall be credited by the state treasurer
31 to the state highway fund. Such revenue may be transferred by the
32 secretary of transportation to the rail service improvement fund pursuant to
33 law. The provisions of this subsection shall take effect upon certification
34 by the secretary of transportation that a notice to proceed has been
35 received for the construction of the improvements within the intermodal
36 facility district, but not later than December 31, 2010, and shall expire
37 when the secretary of revenue determines that the total of all amounts
38 credited hereunder and pursuant to ~~subsection (e) of K.S.A. 79-3620(e)~~,
39 and amendments thereto, is equal to \$53,300,000, but not later than
40 December 31, 2045. Thereafter, all revenues shall be collected and
41 distributed in accordance with applicable law. For all tax reporting periods
42 during which the provisions of this subsection are in effect, none of the
43 exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto,

1 shall apply to the sale or furnishing of any gas, water, electricity and heat
2 for use or consumption within the intermodal facility district. As used in
3 this subsection, "intermodal facility district" shall consist of an intermodal
4 transportation area as defined by ~~subsection (oo)~~ of K.S.A. 12-1770a(oo),
5 and amendments thereto, located in Johnson county within the polygonal-
6 shaped area having Waverly Road as the eastern boundary, 191st Street as
7 the southern boundary, Four Corners Road as the western boundary, and
8 Highway 56 as the northern boundary, and the polygonal-shaped area
9 having Poplar Road as the eastern boundary, 183rd Street as the southern
10 boundary, Waverly Road as the western boundary, and the BNSF mainline
11 track as the northern boundary, that includes capital investment in an
12 amount exceeding \$150 million for the construction of an intermodal
13 facility to handle the transfer, storage and distribution of freight through
14 railway and trucking operations.

15 Sec. 9. K.S.A. 79-3453 and K.S.A. 2014 Supp. 79-3408, 79-3492b,
16 79-34,118, 79-34,141, 79-34,142, 79-3620 and 79-3710 are hereby
17 repealed.

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