

SENATE BILL No. 303

By Committee on Federal and State Affairs

3-8

1 AN ACT concerning legal tender; establishing the Kansas legal tender act;
2 reaffirmation of gold and silver coin as legal tender; providing an
3 income taxation subtraction modification for gains from the sale of
4 specie; amending K.S.A. 2022 Supp. 79-32,117 and repealing the
5 existing section.
6

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

8 New Section 1. Sections 1 through 6, and amendments thereto, shall
9 be known and may be cited as the Kansas legal tender act.

10 New Sec. 2. As used in the Kansas legal tender act:

11 (a) "Legal tender" means a recognized medium of exchange for the
12 payment of debts and taxes; and

13 (b) "specie" means: (1) Coin having gold or silver content; or (2)
14 refined gold or silver bullion that is coined, stamped or imprinted with its
15 weight and purity and valued primarily based on its metal content and not
16 its form.

17 New Sec. 3. Specie legal tender in Kansas consists of:

18 (a) Specie coin issued by the United States government at any time;
19 or

20 (b) any other specie that a court of competent jurisdiction, by final
21 and unappealable order, rules to be within state authority to make or
22 designate as legal tender.

23 New Sec. 4. (a) No specie or legal tender shall be characterized as
24 personal property for taxation or regulatory purposes.

25 (b) The exchange of one type or form of legal tender for another type
26 or form of legal tender shall not give rise to any tax liability of any kind.

27 (c) The purchase, sale or exchange of any type or form of specie shall
28 not give rise to any tax liability of any kind.

29 ***(d) The provisions of this section shall not apply to taxable***
30 ***distributions from any retirement plan account that holds specie.***

31 New Sec. 5. Unless expressly provided by statute or by contract, no
32 person shall have the right to compel any other person to tender specie or
33 to accept specie as tender.

34 New Sec. 6. (a) The attorney general shall enforce this act without
35 prejudice to any private right of action.

36 (b) Kansas courts shall require specific performance as a remedy for

1 breach of any contract designating a type or form of specie as tender.

2 Sec. 7. K.S.A. 2022 Supp. 79-32,117 is hereby amended to read as
3 follows: 79-32,117. (a) The Kansas adjusted gross income of an individual
4 means such individual's federal adjusted gross income for the taxable year,
5 with the modifications specified in this section.

6 (b) There shall be added to federal adjusted gross income:

7 (i) Interest income less any related expenses directly incurred in the
8 purchase of state or political subdivision obligations, to the extent that the
9 same is not included in federal adjusted gross income, on obligations of
10 any state or political subdivision thereof, but to the extent that interest
11 income on obligations of this state or a political subdivision thereof issued
12 prior to January 1, 1988, is specifically exempt from income tax under the
13 laws of this state authorizing the issuance of such obligations, it shall be
14 excluded from computation of Kansas adjusted gross income whether or
15 not included in federal adjusted gross income. Interest income on
16 obligations of this state or a political subdivision thereof issued after
17 December 31, 1987, shall be excluded from computation of Kansas
18 adjusted gross income whether or not included in federal adjusted gross
19 income.

20 (ii) Taxes on or measured by income or fees or payments in lieu of
21 income taxes imposed by this state or any other taxing jurisdiction to the
22 extent deductible in determining federal adjusted gross income and not
23 credited against federal income tax. This paragraph shall not apply to taxes
24 imposed under the provisions of K.S.A. 79-1107 or 79-1108, and
25 amendments thereto, for privilege tax year 1995, and all such years
26 thereafter.

27 (iii) The federal net operating loss deduction, except that the federal
28 net operating loss deduction shall not be added to an individual's federal
29 adjusted gross income for tax years beginning after December 31, 2016.

30 (iv) Federal income tax refunds received by the taxpayer if the
31 deduction of the taxes being refunded resulted in a tax benefit for Kansas
32 income tax purposes during a prior taxable year. Such refunds shall be
33 included in income in the year actually received regardless of the method
34 of accounting used by the taxpayer. For purposes hereof, a tax benefit shall
35 be deemed to have resulted if the amount of the tax had been deducted in
36 determining income subject to a Kansas income tax for a prior year
37 regardless of the rate of taxation applied in such prior year to the Kansas
38 taxable income, but only that portion of the refund shall be included as
39 bears the same proportion to the total refund received as the federal taxes
40 deducted in the year to which such refund is attributable bears to the total
41 federal income taxes paid for such year. For purposes of the foregoing
42 sentence, federal taxes shall be considered to have been deducted only to
43 the extent such deduction does not reduce Kansas taxable income below

1 zero.

2 (v) The amount of any depreciation deduction or business expense
3 deduction claimed on the taxpayer's federal income tax return for any
4 capital expenditure in making any building or facility accessible to the
5 handicapped, for which expenditure the taxpayer claimed the credit
6 allowed by K.S.A. 79-32,177, and amendments thereto.

7 (vi) Any amount of designated employee contributions picked up by
8 an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965,
9 and amendments thereto.

10 (vii) The amount of any charitable contribution made to the extent the
11 same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-
12 32,196, and amendments thereto.

13 (viii) The amount of any costs incurred for improvements to a swine
14 facility, claimed for deduction in determining federal adjusted gross
15 income, to the extent the same is claimed as the basis for any credit
16 allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

17 (ix) The amount of any ad valorem taxes and assessments paid and
18 the amount of any costs incurred for habitat management or construction
19 and maintenance of improvements on real property, claimed for deduction
20 in determining federal adjusted gross income, to the extent the same is
21 claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203,
22 and amendments thereto.

23 (x) Amounts received as nonqualified withdrawals, as defined by
24 K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a
25 family postsecondary education savings account, such amounts were
26 subtracted from the federal adjusted gross income pursuant to ~~K.S.A. 79-
27 32,117(c)(xv), and amendments thereto,~~ subsection (c)(xv) or if such
28 amounts are not already included in the federal adjusted gross income.

29 (xi) The amount of any contribution made to the same extent the
30 same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-
31 50,154, and amendments thereto.

32 (xii) For taxable years commencing after December 31, 2004,
33 amounts received as withdrawals not in accordance with the provisions of
34 K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution
35 to an individual development account, such amounts were subtracted from
36 the federal adjusted gross income pursuant to subsection (c)(xiii), or if
37 such amounts are not already included in the federal adjusted gross
38 income.

39 (xiii) The amount of any expenditures claimed for deduction in
40 determining federal adjusted gross income, to the extent the same is
41 claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217
42 through 79-32,220 or 79-32,222, and amendments thereto.

43 (xiv) The amount of any amortization deduction claimed in

1 determining federal adjusted gross income to the extent the same is
2 claimed for deduction pursuant to K.S.A. 79-32,221, and amendments
3 thereto.

4 (xv) The amount of any expenditures claimed for deduction in
5 determining federal adjusted gross income, to the extent the same is
6 claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223
7 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-
8 32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-
9 32,251 through 79-32,254, and amendments thereto.

10 (xvi) The amount of any amortization deduction claimed in
11 determining federal adjusted gross income to the extent the same is
12 claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-
13 32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

14 (xvii) The amount of any amortization deduction claimed in
15 determining federal adjusted gross income to the extent the same is
16 claimed for deduction pursuant to K.S.A. 79-32,256, and amendments
17 thereto.

18 (xviii) For taxable years commencing after December 31, 2006, the
19 amount of any ad valorem or property taxes and assessments paid to a state
20 other than Kansas or local government located in a state other than Kansas
21 by a taxpayer who resides in a state other than Kansas, when the law of
22 such state does not allow a resident of Kansas who earns income in such
23 other state to claim a deduction for ad valorem or property taxes or
24 assessments paid to a political subdivision of the state of Kansas in
25 determining taxable income for income tax purposes in such other state, to
26 the extent that such taxes and assessments are claimed as an itemized
27 deduction for federal income tax purposes.

28 (xix) For taxable years beginning after December 31, 2012, and
29 ending before January 1, 2017, the amount of any: (1) Loss from business
30 as determined under the federal internal revenue code and reported from
31 schedule C and on line 12 of the taxpayer's form 1040 federal individual
32 income tax return; (2) loss from rental real estate, royalties, partnerships, S
33 corporations, except those with wholly owned subsidiaries subject to the
34 Kansas privilege tax, estates, trusts, residual interest in real estate
35 mortgage investment conduits and net farm rental as determined under the
36 federal internal revenue code and reported from schedule E and on line 17
37 of the taxpayer's form 1040 federal individual income tax return; and (3)
38 farm loss as determined under the federal internal revenue code and
39 reported from schedule F and on line 18 of the taxpayer's form 1040
40 federal income tax return; all to the extent deducted or subtracted in
41 determining the taxpayer's federal adjusted gross income. For purposes of
42 this subsection, references to the federal form 1040 and federal schedule
43 C, schedule E, and schedule F, shall be to such form and schedules as they

1 existed for tax year 2011, and as revised thereafter by the internal revenue
2 service.

3 (xx) For taxable years beginning after December 31, 2012, and
4 ending before January 1, 2017, the amount of any deduction for self-
5 employment taxes under section 164(f) of the federal internal revenue
6 code as in effect on January 1, 2012, and amendments thereto, in
7 determining the federal adjusted gross income of an individual taxpayer, to
8 the extent the deduction is attributable to income reported on schedule C,
9 E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income
10 tax return.

11 (xxi) For taxable years beginning after December 31, 2012, and
12 ending before January 1, 2017, the amount of any deduction for pension,
13 profit sharing, and annuity plans of self-employed individuals under
14 section 62(a)(6) of the federal internal revenue code as in effect on January
15 1, 2012, and amendments thereto, in determining the federal adjusted gross
16 income of an individual taxpayer.

17 (xxii) For taxable years beginning after December 31, 2012, and
18 ending before January 1, 2017, the amount of any deduction for health
19 insurance under section 162(l) of the federal internal revenue code as in
20 effect on January 1, 2012, and amendments thereto, in determining the
21 federal adjusted gross income of an individual taxpayer.

22 (xxiii) For taxable years beginning after December 31, 2012, and
23 ending before January 1, 2017, the amount of any deduction for domestic
24 production activities under section 199 of the federal internal revenue code
25 as in effect on January 1, 2012, and amendments thereto, in determining
26 the federal adjusted gross income of an individual taxpayer.

27 (xxiv) For taxable years commencing after December 31, 2013, that
28 portion of the amount of any expenditure deduction claimed in
29 determining federal adjusted gross income for expenses paid for medical
30 care of the taxpayer or the taxpayer's spouse or dependents when such
31 expenses were paid or incurred for an abortion, or for a health benefit plan,
32 as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of
33 an optional rider for coverage of abortion in accordance with K.S.A. 40-
34 2,190, and amendments thereto, to the extent that such taxes and
35 assessments are claimed as an itemized deduction for federal income tax
36 purposes.

37 (xxv) For taxable years commencing after December 31, 2013, that
38 portion of the amount of any expenditure deduction claimed in
39 determining federal adjusted gross income for expenses paid by a taxpayer
40 for health care when such expenses were paid or incurred for abortion
41 coverage, a health benefit plan, as defined in K.S.A. 65-6731, and
42 amendments thereto, when such expenses were paid or incurred for
43 abortion coverage or amounts contributed to health savings accounts for

1 such taxpayer's employees for the purchase of an optional rider for
2 coverage of abortion in accordance with K.S.A. 40-2,190, and
3 amendments thereto, to the extent that such taxes and assessments are
4 claimed as a deduction for federal income tax purposes.

5 (xxvi) For all taxable years beginning after December 31, 2016, the
6 amount of any charitable contribution made to the extent the same is
7 claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and
8 amendments thereto, and is also claimed as an itemized deduction for
9 federal income tax purposes.

10 (xxvii) For all taxable years commencing after December 31, 2020,
11 the amount deducted by reason of a carryforward of disallowed business
12 interest pursuant to section 163(j) of the federal internal revenue code of
13 1986, as in effect on January 1, 2018.

14 (xxviii) For all taxable years beginning after December 31, 2021, the
15 amount of any contributions to, or earnings from, a first-time home buyer
16 savings account if distributions from the account were not used to pay for
17 expenses or transactions authorized pursuant to K.S.A. 2022 Supp. 58-
18 4904, and amendments thereto, or were not held for the minimum length
19 of time required pursuant to K.S.A. 2022 Supp. 58-4904, and amendments
20 thereto. Contributions to, or earnings from, such account shall also include
21 any amount resulting from the account holder not designating a surviving
22 transfer on death beneficiary pursuant to K.S.A. 2022 Supp. 58-4904(e),
23 and amendments thereto.

24 (c) There shall be subtracted from federal adjusted gross income:

25 (i) Interest or dividend income on obligations or securities of any
26 authority, commission or instrumentality of the United States and its
27 possessions less any related expenses directly incurred in the purchase of
28 such obligations or securities, to the extent included in federal adjusted
29 gross income but exempt from state income taxes under the laws of the
30 United States.

31 (ii) Any amounts received which are included in federal adjusted
32 gross income but which are specifically exempt from Kansas income
33 taxation under the laws of the state of Kansas.

34 (iii) The portion of any gain or loss from the sale or other disposition
35 of property having a higher adjusted basis for Kansas income tax purposes
36 than for federal income tax purposes on the date such property was sold or
37 disposed of in a transaction in which gain or loss was recognized for
38 purposes of federal income tax that does not exceed such difference in
39 basis, but if a gain is considered a long-term capital gain for federal
40 income tax purposes, the modification shall be limited to that portion of
41 such gain which is included in federal adjusted gross income.

42 (iv) The amount necessary to prevent the taxation under this act of
43 any annuity or other amount of income or gain which was properly

1 included in income or gain and was taxed under the laws of this state for a
2 taxable year prior to the effective date of this act, as amended, to the
3 taxpayer, or to a decedent by reason of whose death the taxpayer acquired
4 the right to receive the income or gain, or to a trust or estate from which
5 the taxpayer received the income or gain.

6 (v) The amount of any refund or credit for overpayment of taxes on
7 or measured by income or fees or payments in lieu of income taxes
8 imposed by this state, or any taxing jurisdiction, to the extent included in
9 gross income for federal income tax purposes.

10 (vi) Accumulation distributions received by a taxpayer as a
11 beneficiary of a trust to the extent that the same are included in federal
12 adjusted gross income.

13 (vii) Amounts received as annuities under the federal civil service
14 retirement system from the civil service retirement and disability fund and
15 other amounts received as retirement benefits in whatever form which
16 were earned for being employed by the federal government or for service
17 in the armed forces of the United States.

18 (viii) Amounts received by retired railroad employees as a
19 supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and
20 228c(a)(1) et seq.

21 (ix) Amounts received by retired employees of a city and by retired
22 employees of any board of such city as retirement allowances pursuant to
23 K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter
24 ordinance exempting a city from the provisions of K.S.A. 13-14,106, and
25 amendments thereto.

26 (x) For taxable years beginning after December 31, 1976, the amount
27 of the federal tentative jobs tax credit disallowance under the provisions of
28 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the
29 amount of the targeted jobs tax credit and work incentive credit
30 disallowances under 26 U.S.C. § 280C.

31 (xi) For taxable years beginning after December 31, 1986, dividend
32 income on stock issued by Kansas venture capital, inc.

33 (xii) For taxable years beginning after December 31, 1989, amounts
34 received by retired employees of a board of public utilities as pension and
35 retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249,
36 and amendments thereto.

37 (xiii) For taxable years beginning after December 31, 2004, amounts
38 contributed to and the amount of income earned on contributions deposited
39 to an individual development account under K.S.A. 74-50,201 et seq., and
40 amendments thereto.

41 (xiv) For all taxable years commencing after December 31, 1996, that
42 portion of any income of a bank organized under the laws of this state or
43 any other state, a national banking association organized under the laws of

1 the United States, an association organized under the savings and loan
2 code of this state or any other state, or a federal savings association
3 organized under the laws of the United States, for which an election as an
4 S corporation under subchapter S of the federal internal revenue code is in
5 effect, which accrues to the taxpayer who is a stockholder of such
6 corporation and which is not distributed to the stockholders as dividends of
7 the corporation. For taxable years beginning after December 31, 2012, and
8 ending before January 1, 2017, the amount of modification under this
9 subsection shall exclude the portion of income or loss reported on schedule
10 E and included on line 17 of the taxpayer's form 1040 federal individual
11 income tax return.

12 (xv) For all taxable years beginning after December 31, 2017, the
13 cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple
14 filing a joint return, for each designated beneficiary that are contributed to:
15 (1) A family postsecondary education savings account established under
16 the Kansas postsecondary education savings program or a qualified tuition
17 program established and maintained by another state or agency or
18 instrumentality thereof pursuant to section 529 of the internal revenue
19 code of 1986, as amended, for the purpose of paying the qualified higher
20 education expenses of a designated beneficiary; or (2) an achieving a
21 better life experience (ABLE) account established under the Kansas ABLE
22 savings program or a qualified ABLE program established and maintained
23 by another state or agency or instrumentality thereof pursuant to section
24 529A of the internal revenue code of 1986, as amended, for the purpose of
25 saving private funds to support an individual with a disability. The terms
26 and phrases used in this paragraph shall have the meaning respectively
27 ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and
28 amendments thereto, and the provisions of such sections are hereby
29 incorporated by reference for all purposes thereof.

30 (xvi) For all taxable years beginning after December 31, 2004,
31 amounts received by taxpayers who are or were members of the armed
32 forces of the United States, including service in the Kansas army and air
33 national guard, as a recruitment, sign up or retention bonus received by
34 such taxpayer as an incentive to join, enlist or remain in the armed services
35 of the United States, including service in the Kansas army and air national
36 guard, and amounts received for repayment of educational or student loans
37 incurred by or obligated to such taxpayer and received by such taxpayer as
38 a result of such taxpayer's service in the armed forces of the United States,
39 including service in the Kansas army and air national guard.

40 (xvii) For all taxable years beginning after December 31, 2004,
41 amounts received by taxpayers who are eligible members of the Kansas
42 army and air national guard as a reimbursement pursuant to K.S.A. 48-
43 281, and amendments thereto, and amounts received for death benefits

1 pursuant to K.S.A. 48-282, and amendments thereto, to the extent that
2 such death benefits are included in federal adjusted gross income of the
3 taxpayer.

4 (xviii) For the taxable year beginning after December 31, 2006,
5 amounts received as benefits under the federal social security act which
6 are included in federal adjusted gross income of a taxpayer with federal
7 adjusted gross income of \$50,000 or less, whether such taxpayer's filing
8 status is single, head of household, married filing separate or married filing
9 jointly; and for all taxable years beginning after December 31, 2007,
10 amounts received as benefits under the federal social security act which
11 are included in federal adjusted gross income of a taxpayer with federal
12 adjusted gross income of \$75,000 or less, whether such taxpayer's filing
13 status is single, head of household, married filing separate or married filing
14 jointly.

15 (xix) Amounts received by retired employees of Washburn university
16 as retirement and pension benefits under the university's retirement plan.

17 (xx) For taxable years beginning after December 31, 2012, and
18 ending before January 1, 2017, the amount of any: (1) Net profit from
19 business as determined under the federal internal revenue code and
20 reported from schedule C and on line 12 of the taxpayer's form 1040
21 federal individual income tax return; (2) net income, not including
22 guaranteed payments as defined in section 707(c) of the federal internal
23 revenue code and as reported to the taxpayer from federal schedule K-1,
24 (form 1065-B), in box 9, code F or as reported to the taxpayer from federal
25 schedule K-1, (form 1065) in box 4, from rental real estate, royalties,
26 partnerships, S corporations, estates, trusts, residual interest in real estate
27 mortgage investment conduits and net farm rental as determined under the
28 federal internal revenue code and reported from schedule E and on line 17
29 of the taxpayer's form 1040 federal individual income tax return; and (3)
30 net farm profit as determined under the federal internal revenue code and
31 reported from schedule F and on line 18 of the taxpayer's form 1040
32 federal income tax return; all to the extent included in the taxpayer's
33 federal adjusted gross income. For purposes of this subsection, references
34 to the federal form 1040 and federal schedule C, schedule E, and schedule
35 F, shall be to such form and schedules as they existed for tax year 2011
36 and as revised thereafter by the internal revenue service.

37 (xxi) For all taxable years beginning after December 31, 2013,
38 amounts equal to the unreimbursed travel, lodging and medical
39 expenditures directly incurred by a taxpayer while living, or a dependent
40 of the taxpayer while living, for the donation of one or more human organs
41 of the taxpayer, or a dependent of the taxpayer, to another person for
42 human organ transplantation. The expenses may be claimed as a
43 subtraction modification provided for in this section to the extent the

1 expenses are not already subtracted from the taxpayer's federal adjusted
2 gross income. In no circumstances shall the subtraction modification
3 provided for in this section for any individual, or a dependent, exceed
4 \$5,000. As used in this section, "human organ" means all or part of a liver,
5 pancreas, kidney, intestine, lung or bone marrow. The provisions of this
6 paragraph shall take effect on the day the secretary of revenue certifies to
7 the director of the budget that the cost for the department of revenue of
8 modifications to the automated tax system for the purpose of
9 implementing this paragraph will not exceed \$20,000.

10 (xxii) For taxable years beginning after December 31, 2012, and
11 ending before January 1, 2017, the amount of net gain from the sale of: (1)
12 Cattle and horses, regardless of age, held by the taxpayer for draft,
13 breeding, dairy or sporting purposes, and held by such taxpayer for 24
14 months or more from the date of acquisition; and (2) other livestock,
15 regardless of age, held by the taxpayer for draft, breeding, dairy or
16 sporting purposes, and held by such taxpayer for 12 months or more from
17 the date of acquisition. The subtraction from federal adjusted gross income
18 shall be limited to the amount of the additions recognized under the
19 provisions of subsection (b)(xix) attributable to the business in which the
20 livestock sold had been used. As used in this paragraph, the term
21 "livestock" shall not include poultry.

22 (xxiii) For all taxable years beginning after December 31, 2012,
23 amounts received under either the Overland Park, Kansas police
24 department retirement plan or the Overland Park, Kansas fire department
25 retirement plan, both as established by the city of Overland Park, pursuant
26 to the city's home rule authority.

27 (xxiv) For taxable years beginning after December 31, 2013, and
28 ending before January 1, 2017, the net gain from the sale from Christmas
29 trees grown in Kansas and held by the taxpayer for six years or more.

30 (xxv) For all taxable years commencing after December 31, 2020,
31 100% of global intangible low-taxed income under section 951A of the
32 federal internal revenue code of 1986, before any deductions allowed
33 under section 250(a)(1)(B) of such code.

34 (xxvi) For all taxable years commencing after December 31, 2020,
35 the amount disallowed as a deduction pursuant to section 163(j) of the
36 federal internal revenue code of 1986, as in effect on January 1, 2018.

37 (xxvii) For taxable years commencing after December 31, 2020, the
38 amount disallowed as a deduction pursuant to section 274 of the federal
39 internal revenue code of 1986 for meal expenditures shall be allowed to
40 the extent such expense was deductible for determining federal income tax
41 and was allowed and in effect on December 31, 2017.

42 (xxviii) For all taxable years beginning after December 31, 2021: (1)
43 The amount contributed to a first-time home buyer savings account

1 pursuant to K.S.A. 2022 Supp. 58-4903, and amendments thereto, in an
2 amount not to exceed \$3,000 for an individual or \$6,000 for a married
3 couple filing a joint return; or (2) amounts received as income earned from
4 assets in a first-time home buyer savings account.

5 *(xxix) For taxable years commencing after December 31, 2022, the*
6 *amount of any net gain from the sale of specie, as defined in section 2, and*
7 *amendments thereto, except the sale of specie as a taxable distribution*
8 *from any retirement plan account that holds specie.*

9 (d) There shall be added to or subtracted from federal adjusted gross
10 income the taxpayer's share, as beneficiary of an estate or trust, of the
11 Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and
12 amendments thereto.

13 (e) The amount of modifications required to be made under this
14 section by a partner which relates to items of income, gain, loss, deduction
15 or credit of a partnership shall be determined under K.S.A. 79-32,131, and
16 amendments thereto, to the extent that such items affect federal adjusted
17 gross income of the partner.

18 ~~(f) No taxpayer shall be assessed penalties and interest from the~~
19 ~~underpayment of taxes due to changes to this section that became law on~~
20 ~~July 1, 2017, so long as such underpayment is rectified on or before April~~
21 ~~17, 2018.~~

22 Sec. 8. K.S.A. 2022 Supp. 79-32,117 is hereby repealed.

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