AN ACT concerning property taxation; relating to primary residential property; providing for a property tax installment payment plan; amending K.S.A. 79-2004 and repealing the existing section.

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

New Section 1. (a) On and after January 1, 2021, a county may allow a taxpayer to enter into a property tax installment payment plan in accordance with the provisions of this section. Such installment payment plan shall be applicable to real property taxes and any special assessments levied against the primary residential property of the taxpayer. To enter into an installment payment plan for the current tax year, the taxpayer shall file an application on or before May 1 with the county treasurer of the county in which the subject property is located. For a taxpayer to be eligible for the installment payment plan, the taxpayer shall have no unpaid prior year property taxes against the primary residential property that the installment payment plan covers.

(b) The county treasurer shall calculate the payments due on an installment payment plan under subsection (a) by substituting the prior year's property taxes due on the subject property, including any special assessments, and dividing such amount of property taxes due by 12. The county treasurer is not required to take any further action to remind taxpayers of payment obligations under the installment payment plan nor is the treasurer required to take any additional action not otherwise required by law to collect any outstanding payments. The county treasurer may at the treasurer's option also include a fee as part of the installment payment plan in an amount not to exceed $2.50 for each monthly payment or an amount not to exceed $5 for each quarterly payment. These fees shall be retained by the county treasurer for administering the installment payment plan.

(c) Payments due under an installment payment plan shall be due to the county treasurer on either:

(1) The first day of each month; or

(2) the first day of the months of July, October, January and April if the taxpayer elects to make quarterly payments. The payments due under the installment plan shall begin on the June 1 after the taxpayer has been approved for participation in the plan. Regardless of the payments...
calculated pursuant to subsection (b), all taxes on the property shall be paid by the taxpayer on or before the next ensuing May 10. The installment payment plan may be renewed for a succeeding year or years without the taxpayer having to submit a new application pursuant to subsection (a) as long as agreed to by the taxpayer and the county treasurer and the taxpayer is current on all payment obligations pursuant to the installment payment plan.

(d) Whenever any date prescribed in subsection (c) for the installment payment plan payment occurs on a Saturday or Sunday, such date for payment shall be extended until the next following regular business day of the office of the county treasurer.

(e) Payments received by a county treasurer prior to the fiscal year for which such tax has been levied shall be placed by the county treasurer into escrow until the first day of such fiscal year.

(f) The board of county commissioners of any county may elect, by the adoption of a resolution, to participate in the installment payment plan pursuant to the provisions of this section. The board may elect to offer as payment options under the installment payment plan: Monthly payments only, quarterly payments only, or both.

Sec. 2. K.S.A. 79-2004 is hereby amended to read as follows: 79-2004. (a) Except as provided by K.S.A. 79-4521, and amendments thereto, and section 1, and amendments thereto, any person charged with real property taxes on the tax books in the hands of the county treasurer may pay, at such person's option, the full amount thereof on or before December 20 of each year, or 1/2 thereof on or before December 20 and the remaining 1/2 on or before May 10 next ensuing. If the full amount of the real property taxes listed upon any tax statement is $10 or less the entire amount of such tax shall be due and payable on or before December 20.

In case the first half of the real property taxes remains unpaid after December 20, the first half of the tax shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus five percentage points per annum and may be paid at any time prior to May 10 following by paying 1/2 of the tax together with interest at such rate from December 20 to date of payment. Subject to the provisions of subsection (d), all real property taxes of the preceding year and accrued interest thereon which remain due and unpaid on May 11 shall accrue interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus five percentage points per annum from May 10 until paid, or until the real property is sold for taxes by foreclosure as provided by law. Except as provided by subsection (c), all interest herein provided shall be credited to the county general fund, and whenever any such interest is paid the county treasurer shall enter the amount of interest so paid on the tax rolls in the proper column and account for such sum.
(b) Whenever any date prescribed in subsection (a) for the payment of real property taxes occurs on a Saturday or Sunday, such date for payment shall be extended until the next-following regular business day of the office of the county treasurer.

c) The board of county commissioners may enter into an agreement with the governing body of any city located in the county for the distribution of part or all of the interest paid on special assessments levied by the city which remain unpaid.

d) All real property taxes of any year past due and unpaid on the effective date of this section and interest accrued thereon pursuant to this section prior to its amendment by this act shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus five percentage points per annum from the effective date of this section until paid or until the real property is sold for taxes by foreclosure as provided by law.

Sec. 3. K.S.A. 79-2004 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.