

HOUSE BILL No. 2168

By Committee on Taxation

1-28

1 AN ACT concerning property taxation; relating to exemptions and
2 classifications; bed and breakfast homes; amending K.S.A. 2014 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. 2014 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~~ *property* with five or fewer bedrooms available for
25 overnight guests who stay for not more than 28 consecutive days for which
26 there is compliance with all zoning or other applicable ordinances or laws
27 which pertain to facilities which lodge and feed guests;

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

30 (C) vacant lots at 12%;

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

35 (E) public utility real property, except railroad property which shall
36 be assessed at the average rate all other commercial and industrial property

1 is assessed, at 33%. As used in this paragraph, "public utility" shall have
2 the meaning ascribed thereto by K.S.A. 79-5a01, and amendments thereto;

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

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

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

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

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

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

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

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

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

36 Sec. 2. K.S.A. 2014 Supp. 79-1439 is hereby repealed.

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