As Amended by Senate Committee

Session of 2021

SENATE BILL No. 13

By Senators Tyson, Alley, Baumgardner, Erickson, Fagg, Hilderbrand, Kerschen, Longbine, Peck, Steffen, Thompson and Warren

1-8

AN ACT concerning property taxation; relating to tax levy rates, 1 establishing notice and public hearing requirements prior to approval 2 3 by a governing body to exceed its revenue neutral rate and 4 discontinuing the city and county tax lid; prohibiting valuation increase of real property solely as the result of normal repair, replacement or 5 maintenance; establishment of a payment plan for the payment of 6 7 delinquent or nondelinquent taxes; amending K.S.A. 79-1460, 79-1801, 8 79-2024 and 79-2925c and repealing the existing sections.

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

11 New Section 1. (a) On or before June 15 each year, the county clerk 12 shall calculate the revenue neutral rate for each taxing subdivision and 13 include such revenue neutral rate on the notice of the estimated assessed 14 valuation provided to each taxing subdivision for budget purposes. The 15 director of accounts and reports shall modify the prescribed budget 16 information form to show the revenue neutral rate.

17 (b) No tax rate in excess of the revenue neutral rate shall be levied by 18 the governing body of any taxing subdivision unless a resolution or 19 ordinance has been approved by the governing body according to the 20 following procedure:

(1) The governing body shall publish notice of its proposed intent to exceed the revenue neutral rate on the website of the governing body, if the governing body maintains a website, at least 10 days in advance of the public hearing. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 15, the governing body shall notify the county 27 28 clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. 29 30 The county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the 31 proposed intent to exceed the revenue neutral rate at least 10 days in 32 33 advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance 34 35 of the public hearing, if such taxpayer and county clerk have consented in

Proposed Amendments 2021 Senate Bill No. 13 Prepared by: Office of Revisor of Statutes

Payment of Notices

SB 13—Am. by SC

writing to service by electronic means. Costs associated with of printing 1 2 and postage for the notice shall be borne by the taxing subdivisions

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proposing intent to exceed the revenue neutral rate with payment due to 3

4 the county clerk by December 31. The cost borne by a taxing subdivision

proposing intent to exceed its revenue neutral rate shall be based on the 5

costs-associated with of printing and postage for the notices for property 6

in such taxing subdivision, which shall be shared equally by all taxing

7 subdivisions/proposing intent to exceed the revenue neutral rate included

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on the same notices for such property, unless otherwise agreed. The county

clerk shall consolidate the required information for all taxing subdivisions 10

relevant to the taxpayer's property on one notice. The notice shall be in a 11 format prescribed by the director of accounts and reports. The notice shall 12

13 include, but not be limited to:

14 (A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property; 15

(B) the proposed property tax revenue needed to fund the proposed 16 budget of the taxing subdivision, if the taxing subdivision notified the 17 county clerk of its proposed intent to exceed its revenue neutral rate; 18

(C) the proposed tax rate based upon the proposed budget and the 19 current year's total assessed valuation of the taxing subdivision, if the 20 21 taxing subdivision notified the county clerk of its proposed intent to 22 exceed its revenue neutral rate;

(D) the tax rate and property tax of each taxing subdivision on the 23 taxpayer's property from the previous year's tax statement; 24

25 (E) the appraised value and assessed value of the taxpayer's property for the current year; 26

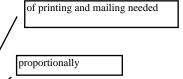
(F) the estimates of the tax for the current tax year on the taxpayer's 27 28 property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates; 29

(G) the difference between the estimates of tax based on the proposed 30 tax rate and the revenue neutral rate on the taxpayer's property described in 31 subparagraph (F) for any taxing subdivision that has a proposed tax rate 32 33 that exceeds its revenue neutral rate: and

(H) the date, time and location of the public hearing of the taxing 34 subdivision, if the taxing subdivision notified the county clerk of its 35 36 proposed intent to exceed its revenue neutral rate.

37 Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include a statement of the statutory mill levies 38 39 imposed by the state and the estimate of the tax for the current year on the taxpayer's property based on such levies. 40

(3) The public hearing to consider exceeding the revenue neutral rate 41 shall be held on or before September 10. The governing body shall provide 42 interested taxpayers desiring to be heard an opportunity to present oral 43



based on the total property tax levied by each jurisdiction