

HOUSE BILL No. 2281

By Committee on Taxation

2-2

1 AN ACT concerning sales taxation; relating to exemptions; providing an
2 exemption for certain purchases by disabled veterans of the armed
3 forces of the United States.

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

6 Section 1. (a) On and after January 1, 2024, notwithstanding any
7 provision of law to the contrary, all sales of tangible personal property or
8 services, except sales of motor vehicles, to persons who are residents of
9 this state and have been honorably discharged from active service in any
10 branch of the armed forces of the United States and who are certified by
11 the United States department of veterans affairs or its successor to be in
12 receipt of disability compensation at the 100% rate, provided that the
13 disability is permanent and was sustained through military action or
14 accident or resulted from disease contracted while in such active service,
15 shall be exempt from the tax imposed by the Kansas retailers' sales tax act.
16 Sales of items or services for the benefit of the eligible person, as provided
17 by this section, that are purchased on behalf of such eligible person by a
18 spouse or by a member of the household in which the eligible person
19 resides and who is authorized to make purchases on the eligible person's
20 behalf shall also be exempt for purposes of this section. The surviving
21 spouse of an eligible person who was receiving an exemption pursuant to
22 this section at the time of such person's death shall be eligible to continue
23 to receive such exemption until the surviving spouse remarries.

24 (b) Sales qualifying for the exemption authorized by this section shall
25 not exceed \$100,000 per year per eligible person.

26 (c) Prior to claiming any such exemption, an eligible person claiming
27 an exemption pursuant to this section shall apply to and obtain from the
28 secretary of revenue a veteran exemption identification number. The
29 secretary shall prescribe the application form for such number, and such
30 eligible person shall provide with the application information sufficient to
31 establish that such eligible person qualifies for the sales tax exemption.
32 The department of revenue shall also provide to each qualifying eligible
33 person an exemption certificate in the form of a driver's-license-size card
34 that includes the veteran exemption identification number of such eligible
35 person and any other information necessary to prove eligibility to any
36 retailer. Such eligible person shall present the exemption certificate card or

1 enter the issued identification number on any exemption certificate
2 presented to any retailer when claiming the sales tax exemption on any
3 qualifying purchases.

4 (d) Upon request of the secretary, an eligible person asserting or
5 claiming the exemption authorized by this section shall provide a
6 statement, executed under oath, that the total sales amounts for which the
7 exemption is applicable have not exceeded the individual taxpayer's yearly
8 limit prescribed by this section. If the amount of such exempt sales
9 exceeds such prescribed limit, the sales tax in excess of the authorized
10 amount shall be treated as a direct sales tax liability and may be recovered
11 by the department of revenue in the same manner as provided by the
12 Kansas retailers' sales tax act.

13 (e) This section shall be a part of and supplemental to the Kansas
14 retailers' sales tax act.

15 Sec. 2. This act shall take effect and be in force from and after its
16 publication in the statute book.