

Senate Concurrent Resolution No. 1605

By Senator Haley

1-31

9 A PROPOSITION to amend section 1 of article 11 of the constitution
10 of the state of Kansas.

11 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*
12 *members elected (or appointed) and qualified to the Senate and two-*
13 *thirds of the members elected (or appointed) and qualified to the House*
14 *of Representatives concurring therein:*

15 Section 1. The following proposition to amend the constitution of the
16 state of Kansas shall be submitted to the qualified electors of the state
17 for their approval or rejection: Section 1 of article 11 of the constitution
18 of the state of Kansas is hereby amended to read as follows:

19 “**§ 1. System of taxation; classification; exemption** (a) The
20 provisions of this subsection shall govern the assessment and tax-
21 ation of property on and after January 1, 1993, and each year
22 thereafter. Except as otherwise hereinafter specifically provided,
23 the legislature shall provide for a uniform and equal basis of
24 valuation and rate of taxation of all property subject to taxation.
25 *Effective January 1, 2006, the legislature shall provide by law to*
26 *limit property tax increases on single-family residential real*
27 *property which is owned by and the principal place of residence*
28 *for at least ten years of Kansas residents who are 65 years of age*
29 *or older as of January 1 of the tax year to an amount not to*
30 *exceed the annual rate of inflation. The legislature may provide*
31 *by law for subsequent adjustments in the age and the property*
32 *tax increase limitations and enact such other legislation as is nec-*
33 *essary to administer this provision.* The legislature may provide
34 for the classification and the taxation uniformly as to class of
35 recreational vehicles, as defined by the legislature, or may ex-
36 empt such class from property taxation and impose taxes upon
37 another basis in lieu thereof. The provisions of this subsection
38 shall not be applicable to the taxation of motor vehicles, except
39 as otherwise hereinafter specifically provided, mineral products,
40 money, mortgages, notes and other evidence of debt and grain.
41 Property shall be classified into the following classes for the pur-
42 pose of assessment and assessed at the percentage of value pre-
43 scribed therefor:

- 1 Class 1 shall consist of real property. Real property shall be fur-
 2 ther classified into seven subclasses. Such property shall be de-
 3 fined by law for the purpose of subclassification and assessed
 4 uniformly as to subclass at the following percentages of value:
- 5 (1) Real property used for residential purposes including multi-family
 6 residential real property and real property necessary to accommodate
 7 a residential community of mobile or manufactured homes including
 8 the real property upon which such homes are located..... 11½%
 - 9 (2) Land devoted to agricultural use which shall be valued upon the
 10 basis of its agricultural income or agricultural productivity pursuant
 11 to section 12 of article 11 of the constitution..... 30%
 - 12 (3) Vacant lots 12%
 - 13 (4) Real property which is owned and operated by a not-for-profit or-
 14 ganization not subject to federal income taxation pursuant to section
 15 501 of the federal internal revenue code, and which is included in this
 16 subclass by law 12%
 - 17 (5) Public utility real property, except railroad real property which shall
 18 be assessed at the average rate that all other commercial and industrial
 19 property is assessed 33%
 - 20 (6) Real property used for commercial and industrial purposes and
 21 buildings and other improvements located upon land devoted to ag-
 22 ricultural use 25%
 - 23 (7) All other urban and rural real property not otherwise specifically
 24 subclassified 30%
- 25 Class 2 shall consist of tangible personal property. Such tangible per-
 26 sonal property shall be further classified into six subclasses, shall be de-
 27 fined by law for the purpose of subclassification and assessed uniformly
 28 as to subclass at the following percentages of value:
- 29 (1) Mobile homes used for residential purposes..... 11½%
 - 30 (2) Mineral leasehold interests except oil leasehold interests the average
 31 daily production from which is five barrels or less, and natural gas
 32 leasehold interests the average daily production from which is 100
 33 mcf or less, which shall be assessed at 25% 30%
 - 34 (3) Public utility tangible personal property including inventories
 35 thereof, except railroad personal property including inventories
 36 thereof, which shall be assessed at the average rate all other com-
 37 mercial and industrial property is assessed 33%
 - 38 (4) All categories of motor vehicles not defined and specifically valued
 39 and taxed pursuant to law enacted prior to January 1, 1985..... 30%
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- 1 (5) Commercial and industrial machinery and equipment which, if its
- 2 economic life is seven years or more, shall be valued at its retail cost
- 3 when new less seven-year straight-line depreciation, or which, if its
- 4 economic life is less than seven years, shall be valued at its retail cost
- 5 when new less straight-line depreciation over its economic life, except
- 6 that, the value so obtained for such property, notwithstanding its eco-
- 7 nomic life and as long as such property is being used, shall not be
- 8 less than 20% of the retail cost when new of such property..... 25%
- 9 (6) All other tangible personal property not otherwise specifically
- 10 classified..... 30%

11 (b) All property used exclusively for state, county, municipal, literary,
 12 educational, scientific, religious, benevolent and charitable purposes,
 13 farm machinery and equipment, merchants' and manufacturers' inven-
 14 tories, other than public utility inventories included in subclass (3) of class
 15 2, livestock, and all household goods and personal effects not used for
 16 the production of income, shall be exempted from property taxation."

17 Sec. 2. The following statement shall be printed on the ballot with
 18 the amendment as a whole:

19 "Explanatory statement. This amendment would require the legis-
 20 lature to limit property tax increases on single-family residential
 21 real property which is owned by and the principal place of res-
 22 idence for at least ten years of Kansas residents who are 65 years
 23 of age or older to an amount not to exceed the annual rate of
 24 inflation. The legislature may provide for subsequent adjust-
 25 ments in the age and property tax increase limitations and other
 26 legislation to administer this provision.

27 "A vote for this proposition would require the legislature to limit
 28 property tax increases on single-family residential real property
 29 which is owned by and the principal place of residence for at
 30 least ten years of Kansas residents who are 65 years of age or
 31 older and allow the legislature to make subsequent adjustments
 32 in the age and property tax increase limitations and enact other
 33 legislation as necessary to administer this provision.

34 "A vote against this proposition would maintain the current system
 35 of property taxation which provides no such prohibition."

36 Sec. 3. This resolution, if approved by two-thirds of the members
 37 elected (or appointed) and qualified to the Senate, and two-thirds of the
 38 members elected (or appointed) and qualified to the House of Repre-
 39 sentatives shall be entered on the journals, together with the yeas and
 40 nays. The secretary of state shall cause this resolution to be published as
 41 provided by law and shall cause the proposed amendment to be submitted
 42 to the electors of the state at the general election to be held on November
 43 7, 2006.