

HOUSE BILL No. 2047

By Committee on Taxation

1-21

9 AN ACT concerning the Kansas estate tax act; relating to imposition of
10 tax; continuation; rates; application of act; amending K.S.A. 2008 Supp.
11 79-15,203 and 79-15,251 and repealing the existing sections; also re-
12 pealing K.S.A. 2008 Supp. 79-15,253.
13

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

15 Section 1. K.S.A. 2008 Supp. 79-15,203 is hereby amended to read
16 as follows: 79-15,203. (a) A tax is hereby imposed on the taxable estate
17 of every resident decedent, and every nonresident decedent who owned
18 real, personal or intangible property with a tax situs in Kansas.

19 (b) The tax imposed by this section shall be computed in accordance
20 with the following schedule:

21 (A) For tax year 2007:

22 If the taxable estate is:	The tax is:
23 Not over \$1,000,000	Zero
24 Over \$1,000,000 but not over	
25 \$2,000,000	3.0% of excess over \$1,000,000
26 Over \$2,000,000 but not over	
27 \$5,000,000	\$30,000 plus 6.0% of excess over \$2,000,000
28 Over \$5,000,000 but not over	
29 \$10,000,000	\$210,000 plus 8.0% of excess over \$5,000,000
30 Over \$10,000,000	\$610,000 plus 10.0% of excess over \$10,000,000

31 (B) For tax year 2008, and all tax years thereafter:

32 If the taxable estate is:	The tax is:
33 Not over \$1,000,000	Zero
34 Over \$1,000,000 but not over	
35 \$2,000,000	1.0% of excess over \$1,000,000
36 Over \$2,000,000 but not over	
37 \$5,000,000	\$10,000 plus 2.0% of excess over \$2,000,000
38 Over \$5,000,000 but not over	
39 \$10,000,000	\$70,000 plus 5.0% of excess over \$5,000,000
40 Over \$10,000,000	\$320,000 plus 7.0% of excess over \$10,000,000

41 ~~(C) For tax year 2009:~~

42 If the taxable estate is:	The tax is:
43 Not over \$1,000,000	Zero

1	Over \$1,000,000 but not over	
2	\$2,000,000	0.5% of excess over \$1,000,000
3	Over \$2,000,000 but not over	
4	\$5,000,000	\$5,000 plus 1.0% of excess over \$2,000,000
5	Over \$5,000,000 but not over	
6	\$10,000,000	\$35,000 plus 2.0% of excess over \$5,000,000
7	Over \$10,000,000	\$135,000 plus 3.0% of excess over \$10,000,000

8 Sec. 2. K.S.A. 2008 Supp. 79-15,251 is hereby amended to read as
9 follows: 79-15,251. The provisions of this act shall apply to the estates of
10 all decedents dying after December 31, 2006, ~~but before January 1, 2010.~~
11 The provisions of article 15 of chapter 79, as such provisions existed prior
12 to January 1, 2007, shall be applicable to the estates of all decedents dying
13 before January 1, 2007, *for which an estate tax return is filed before*
14 *January 1, 2017. In the event such estate tax return has not been filed*
15 *with the director before January 1, 2017, no liability which may have*
16 *been imposed if the return was filed by such date shall accrue to either*
17 *the estate or the distributees of the estate.*

18 Sec. 3. K.S.A. 2008 Supp. 79-15,203, 79-15,251 and 79-15,253 are
19 hereby repealed.

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