

STATE OF KANSAS

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Testimony on SCR 1603

Chair Tyson and Members of the Senate Committee of Assessment and Taxation:

Thank you for the opportunity to submit written comments regarding SCR 1603. I apologize for not being able to present in person. I am supportive of any efforts that may lead to lower property taxes and greater transparency for taxpayers. However, I would like to draw your attention to Section 1 on page 2 of SCR 1603, which states:

The final taxable appraised value of real property classified in any subclass...shall not increase by more than 3%, or a lesser percentage as provided by law, in any taxable year except when:

...

(6) title to the property is transferred, changed or conveyed to another person or entity.

The legislature may define new construction or improvements by law and enact other legislation to administer this provision. All or any portion of the benefits of the valuation limitation may be portable or transferable under certain circumstances as defined and provided by state statute.

My concern is that the legislation as written will lead to an unfair process as the Legislature will have to affirmatively pick and choose when the benefits of the valuation limitation are transferred. Further, allowing limitations to be non-transferable in some instances may ultimately force some homeowners to remain in their homes longer than they wish because they cannot afford to either downsize in old age or move up with a growing family because of the potential for a large increase in their monthly home payment due to the increase in property tax.

I would recommend the committee consider adopting the following language or something similar:

(6) The benefits of the valuation limitation shall remain in place whenever title to the property is transferred, changed or conveyed to another person or entity, unless the legislature enacts provisions that provide for exceptions.

The legislature may define new construction or improvements by law and enact other legislation to administer this provision. ~~All or any portion of the benefits of the valuation~~

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~~limitation may be portable or transferable under certain circumstances as defined and provided by state statute.~~

Given the shortage of affordable housing across the entire state, I believe we should be careful in the limitations we enact that might act as a damper on the housing market.