

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**  
LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Senate Committee on Assessment and Taxation  
From: Office of Revisor of Statutes  
Date: March 18, 2025  
Subject: Senate Bill No. 39, As Introduced

**Summary**

Senate Bill No. 39 would create the Kansas Legal Tender Act. The act would make specie coins issued by the U.S. government, and any other specie that a court of competent jurisdiction rules to be within state authority to designate as legal tender, legal tender in Kansas. Specie means: (1) Coins having gold or silver content; or (2) refined gold or silver bullion that is been coined, stamped or imprinted with its weight and purity and valued primarily based on its metal content and not its form.

The bill provides that no specie or legal tender shall be characterized as personal property for taxation or regulatory purposes and provides that the exchange of one form of legal tender for another and the purchase, sale or transfer of any form of specie would not give rise to any tax liability, except that these provisions do not apply to taxable distributions from a retirement plan account that holds specie. Section 7 of the bill would amend K.S.A. 2024 Supp. 79-32,117 to provide a subtraction modification that would allow taxpayers to subtract any net gain from the sale of specie for purposes of Kansas adjusted gross income, except the sale of specie as a taxable distribution from a retirement plan account that holds specie.

No person would have the right to compel another person to tender specie or accept specie as tender unless expressly provided by statute or contract. The Attorney General would have the authority to enforce with act without prejudice to any private right of action.

The bill would take effect from and after its publication in the statute book.