

**Senate Concurrent Resolution No. 1603**

By Senators Tyson, Alley, Blasi, Bowser, J.R. Claeys, Joseph Claeys, Erickson,  
Gossage, Klemp, Kloos, Masterson, Murphy, Peck, Petersen, Shallenburger,  
Starnes, Thompson and Warren

1-15

1 A PROPOSITION to amend section 1 of article 11 of the constitution of  
2 the state of Kansas; relating to property taxation; limiting valuation  
3 increases for real property and for personal property classified as  
4 mobile homes used for residential purposes.

5  
6 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
7 *members elected (or appointed) and qualified to the Senate and*  
8 *two-thirds of the members elected (or appointed) and qualified*  
9 *to the House of Representatives concurring therein:*

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

14 "**§ 1. System of taxation; classification; exemption.** (a) The  
15 provisions of this subsection shall govern the assessment and  
16 taxation of property on and after January 1, ~~2013~~ 2026, and  
17 each year thereafter. Except as otherwise hereinafter  
18 specifically provided, the legislature shall provide for a  
19 uniform and equal basis of valuation and rate of taxation of  
20 all property subject to taxation. The legislature may provide  
21 for the classification and the taxation uniformly as to class of  
22 recreational vehicles and watercraft, as defined by the  
23 legislature, or may exempt such class from property taxation  
24 and impose taxes upon another basis in lieu thereof. The  
25 provisions of this subsection shall not be applicable to the  
26 taxation of motor vehicles, except as otherwise hereinafter  
27 specifically provided, mineral products, money, mortgages,  
28 notes and other evidence of debt and grain.

29 *The final taxable appraised value of real property classified in*  
30 *any subclass and personal property classified as mobile*  
31 *homes used for residential purposes shall not increase by*  
32 *more than 3%, or a lesser percentage as provided by law, in*  
33 *any taxable year except when:*

34 (1) *The property includes new construction or improvements*

- 1           *have been made to the property;*
- 2           (2) *the class or subclass of the property changes for*
- 3           *assessment rate purposes;*
- 4           (3) *the property becomes disqualified from exemption;*
- 5           (4) *the property is first listed as escaped or omitted property,*
- 6           *or an error is corrected; or*
- 7           (5) *the legal description of the land, lot or parcel changes,*
- 8           *except that the total final taxable appraised value of all*
- 9           *property affected by a legal description change shall not*
- 10           *exceed the total final taxable appraised value of the affected*
- 11           *property for the previous year by more than 3%, or a lesser*
- 12           *percentage as provided by law; or*
- 13           ~~(6) *title to the property is transferred, changed or conveyed to*~~
- 14           ~~*another person or entity.*~~

15           ***The benefits of the valuation limitation shall remain in place***

16           ***whenever title to the property is transferred, changed or***

17           ***conveyed to another person or entity, unless the legislature***

18           ***enacts provisions that provide for exceptions. For property***

19           ***that is subject to the valuation limitation, the final taxable***

20           ***appraised value each year shall be the appraised value of***

21           ***the property determined as otherwise provided by law***

22           ***without the application of the valuation limitation***

23           ***provisions or the limited appraised value of the property***

24           ***determined by the application of the valuation limitation***

25           ***provisions, whichever is less. The legislature may define***

26           ***new construction or improvements by law and enact other***

27           ***legislation to administer this provision. All or any portion of***

28           ***the benefits of the valuation limitation may be portable or***

29           ***transferable under certain circumstances as defined and***

30           ***provided by state statute.***

31           Property shall be classified into the following classes for the

32           purpose of assessment and assessed at the percentage of

33           value prescribed therefor:

34           Class 1 shall consist of real property. Real property shall be

35           further classified into seven subclasses. Such property shall

36           be defined by law for the purpose of subclassification and

37           assessed uniformly as to subclass at the following

38           percentages of value:

- 39           (1) Real property used for residential purposes including
- 40           multi-family residential real property and real property
- 41           necessary to accommodate a residential community of
- 42           mobile or manufactured homes including the real property
- 43           upon which such homes are located.....11½%

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

- 1 economic life and as long as such property is being used,
- 2 shall not be less than 20% of the retail cost when new of
- 3 such property.....25%
- 4 (6) All other tangible personal property not otherwise
- 5 specifically classified.....30%
- 6 (b) All property used exclusively for state, county, municipal,
- 7 literary, educational, scientific, religious, benevolent and
- 8 charitable purposes, farm machinery and equipment,
- 9 merchants' and manufacturers' inventories, other than public
- 10 utility inventories included in subclass (3) of class 2,
- 11 livestock, and all household goods and personal effects not
- 12 used for the production of income, shall be exempted from
- 13 property taxation."

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

16 "*Explanatory statement.* This amendment would limit annual  
 17 valuation increases to 3%, or a lesser percentage as provided  
 18 by law, for purposes of property taxation for real property  
 19 classified in any subclass and personal property classified as  
 20 mobile homes used for residential purposes except when the  
 21 property includes new construction or improvements have  
 22 been made to the property, the class or subclass of the  
 23 property changes, the property becomes disqualified from  
 24 exemption, the property is first listed as escaped or omitted  
 25 property, an error is corrected; *or* the legal description of the  
 26 property changes ~~or title to the property is transferred,~~  
 27 ~~changed or conveyed to another person or entity.~~

28 "A vote for this proposition would limit annual valuation  
 29 increases to 3%, or a lesser percentage as provided by law,  
 30 for real property classified in any subclass and personal  
 31 property classified as mobile homes used for residential  
 32 purposes except when the property includes new  
 33 construction or improvements have been made to the  
 34 property, the class or subclass of the property changes, the  
 35 property becomes disqualified from exemption, the property  
 36 is first listed as escaped or omitted property, an error is  
 37 corrected; *or* the legal description of the property changes ~~or~~  
 38 ~~title to the property is transferred, changed or conveyed to~~  
 39 ~~another person or entity.~~ ***The amendment would provide for***  
 40 ***the benefits of the valuation limitation to remain in place***  
 41 ***whenever title to the property is transferred, changed or***  
 42 ***conveyed to another person or entity, unless the legislature***  
 43 ***enacts provisions that provide for exceptions. The***

1            *amendment would clarify that for property subject to the*  
2            *valuation limitation, the final taxable appraised value each*  
3            *year would be the appraised value of the property*  
4            *determined without the application of the valuation*  
5            *limitation provisions or the limited appraised value of the*  
6            *property determined by the application of the valuation*  
7            *limitation provisions, whichever is less.* The amendment  
8            would authorize the legislature to define new construction or  
9            improvements and enact other legislation to administer the  
10           provision. ~~The amendment would also allow for the~~  
11           ~~portability or transfer of all or any portion of valuation-~~  
12           ~~limitation benefits under certain circumstances as defined~~  
13           ~~and provided by state statute.~~

14           "A vote against this proposition would provide no change to the  
15           Kansas constitution."

16           Sec. 3. This resolution, if approved by two-thirds of the members  
17           elected (or appointed) and qualified to the Senate and two-thirds of the  
18           members elected (or appointed) and qualified to the House of  
19           Representatives, shall be entered on the journals, together with the yeas  
20           and nays. The secretary of state shall cause this resolution to be published  
21           as provided by law and shall cause the proposed amendment to be  
22           submitted to the electors of the state at a special election, which is hereby  
23           called on November 4, 2025, pursuant to section 1 of article 14 of the  
24           constitution of the state of Kansas, to be held in conjunction with the  
25           general election held on such date.