

## SENATE BILL No. 317

By Committee on Assessment and Taxation

1-23

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1 AN ACT concerning property taxation; defining real and personal  
2 property; amending K.S.A. 79-102 and repealing the existing section.  
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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 79-102 is hereby amended to read as follows: 79-  
6 102. ~~That~~ *Beginning with the taxable year which commences after*  
7 *December 31, 2011*, the terms "real property," "real estate," and "land,"  
8 when used in this act, except as otherwise specifically provided, shall  
9 include not only the land itself, but all buildings, fixtures, *excluding trade*  
10 *fixtures*, improvements, mines, minerals, quarries, mineral springs and  
11 wells, rights and privileges appertaining thereto.

12 *Beginning with the taxable year which commences after December 31,*  
13 *2011*, the term "personal property" shall include every tangible thing which  
14 is the subject of ownership, ~~not forming part or parcel of real property~~  
15 *which is not defined as real property*; also the capital stock, undivided  
16 profits and all other assets of every company, incorporated or  
17 unincorporated, and every share or interest in such stock, profit, or assets,  
18 by whatever name the same may be designated, provided the same is not  
19 included in other personal property subject to taxation or listed as the  
20 property of individuals; and also every share or interest in any vessel or  
21 boat used in navigating any of the waters within or bordering on this state,  
22 whether such vessel or boat shall be within the jurisdiction of the state or  
23 elsewhere; *trade fixtures*; and also all "property" owned, leased, used,  
24 occupied or employed by any railway or telegraph company or corporation  
25 within this state, situate on the right-of-way of any railway.

26 *Beginning with the taxable year which commences after December 31,*  
27 *2011*, the term "*trade fixtures*" means those articles or items used in a  
28 trade or business whether or not placed upon and permanently affixed to  
29 real estate. *Trade fixtures include commercial and industrial machinery*  
30 *and equipment placed upon or permanently attached to owner occupied or*  
31 *leased real estate and directly used in conducting trade, business,*  
32 *commercial, industrial, manufacturing or processing activities.*

33 That the term "property," when used alone in this act, shall mean and  
34 include every kind of property subject to ownership.

35 The term "money" or "moneys" shall mean and include gold and silver  
36 coin, United States treasury notes, and bank notes.

1       The words "personal property," when used in this act in their general  
2 sense, shall include all taxable property other than real property, as  
3 hereinbefore defined.

4       The words "town" or "village," when used in this act, shall include  
5 every place laid out in lots and blocks other than incorporated cities.

6       The word "cities" shall include only such places as are incorporated  
7 cities.

8       ~~The words "he," "his," or "him," when so used as to refer to a female,~~  
9 ~~shall be held to mean "she," "her," or "hers"; and when so used as to refer~~  
10 ~~to more than one person, "they," "their," or "them," as the sense may~~  
11 ~~require.~~

12       Sec. 2. K.S.A. 79-102 is hereby repealed.

13       Sec. 3. This act shall take effect and be in force from and after its  
14 publication in the statute book.