

Policy & Research  
915 SW Harrison St  
Topeka KS 66612-1588

Nick Jordan, Secretary  
Richard Cram, Director



Department of Revenue

Phone: 785-296-3081  
FAX: 785-296-7928  
www.ksrevenue.org

Sam Brownback, Governor

January 24, 2013

Senate Committee on Assessment and Taxation

Request for Introduction of Department Proposals

by Richard Cram

Chairman Les Donovan and Members of the Committee:

The Department of Revenue respectfully requests for introduction as Committee bills the following proposals:

Trailer/technical amendments to 2012 House Bill 2117

Clarify that the itemized deduction was not repealed.

Clean-up repeal of two food sales tax rebate statutes and amend K.S.A. 2012 Supp. 79-3620 to strike a reference to the food sales tax rebate statute.

Amend Section 38(c) of 2012 House Bill 2117 to correct "(c)(xxi)" to "(c)(xx)".

Amend K.S.A. 79-32,109(a) to add clarification language that line references to the federal 1040 form for residents also includes the corresponding line references to the federal nonresident 1040 return.

Repeal Section 37 of 2012 House Bill 2117. Section 37 provided for a separate basis determination for Kansas income tax purposes for partnership interests and S corporation stock, beginning in 2013.

Amend K.S.A. 79-4217(b)(5) to clarify that the "50 barrels-a-day or less" qualification criterion for the "new pool" severance tax exemption on oil production shall apply per well, and shall be determined based on the average daily production from the well during the initial six-month period of production, which production has not been significantly curtailed by mechanical failure or other disruption of production, and such exemption shall be lost if such production thereafter exceeds 50 barrels-a-day during any qualifying one-month period after the initial qualifying period.

K.S.A. 75-5162 fee amendments

Amend K.S.A. 75-5162 to increase the fee for applying for a payment plan for delinquent tax liability from \$10 to \$25, provide for a fee of \$50 to submit a petition for abatement of tax liability, provide for a service fee of \$22 payable whenever the Internal Revenue Service levies against a State of Kansas refund check to a taxpayer with delinquent federal tax liability, and provide for the collection of a payment processing fee of 12% on any delinquent tax payments, all such fees to be deposited in the recovery fund for enforcement actions and attorney fees for use in funding operations of the Department.