

HOUSE BILL No. 2255

By Committee on Commerce, Labor and Economic Development

2-7

1 AN ACT concerning economic development; investment in
2 telecommunications machinery and equipment; promoting broadband
3 across Kansas.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) For purchases made on or after July 1, 2013, all state
7 sales tax paid on the purchase of telecommunications machinery and
8 equipment pursuant to K.S.A. 79-3603, and amendments thereto, by a
9 person providing services pursuant to the provisions of subsection (b) of
10 K.S.A. 79-3603, and amendments thereto, including the services listed in
11 subsection (b) of K.S.A. 79-3603, and amendments thereto, that are not
12 included in telecommunications service pursuant to such provisions, shall
13 be refunded as provided in this section.

14 (b) Any claim for refund shall be submitted within three years from
15 the date of payment of the tax. Each claim for a sales tax refund shall be
16 verified and submitted to the director of taxation upon forms furnished by
17 the director and shall be accompanied by any additional documentation
18 required by the director. The director shall review each claim and shall
19 refund the amount of sales tax paid as determined under the provisions of
20 this section. All refunds shall be paid from the sales tax refund fund upon
21 warrants of the director of accounts and reports pursuant to vouchers
22 approved by the director or the director's designee. No interest shall be
23 paid on refunds granted pursuant to this section. In no event shall any city
24 or county sales tax paid on the sale of telecommunications machinery and
25 equipment be refunded pursuant to this section.

26 (c) On or before January 31, 2018, the department shall review and
27 report to the speaker of the house, the senate president and the chairs of the
28 house and senate commerce committees on the additional investment and
29 related economic impact of this tax expenditure.

30 (d) For purposes of this section, "telecommunications machinery and
31 equipment" means machinery, equipment and network software that is
32 capable of directly sending, receiving or storing voice or data
33 communications or used to enable, facilitate, maintain or monitor a
34 telecommunications network. "Telecommunications machinery and
35 equipment" includes, but is not limited to: Antennas, amplifiers, wires,
36 cable, fiber optic cable, rectifiers, duplexers, triplexers, multiplexers,

1 receivers, repeaters, transmitters, power equipment, modems, routers,
2 storage devices, closures, conduits, controllers, filters, input devices,
3 insulators, microwave equipment, output devices, pedestals, power
4 converters, radio channels, terminals, timing units, transformers, bridges,
5 network computers, cross connects, plug-in circuitry, oscillators, network
6 software, servers, power transport equipment, test equipment, connectors,
7 attenuators, circuit switches, analog electronic switches, digital electronic
8 switches and switches for operator assistance.

9 (e) The secretary of revenue is hereby authorized to adopt rules and
10 regulations to administer the provisions of this section.

11 Sec. 2. This act shall take effect and be in force from and after its
12 publication in the statute book.