

SENATE BILL No. 363

By Committee on Commerce

2-10

1 AN ACT concerning rural opportunity zones; relating to private business
2 employment; amending K.S.A. 2013 Supp. 79-32,267 and repealing the
3 existing section.
4

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

6 Section 1. K.S.A. 2013 Supp. 79-32,267 is hereby amended to read as
7 follows: 79-32,267. (a) For taxable years commencing after December 31,
8 2011, and before January 1, 2017, there shall be allowed as a credit against
9 the tax liability of a resident individual taxpayer an amount equal to the
10 resident individual's income tax liability under the provisions of the
11 Kansas income tax act, when the resident individual:

12 (1) Establishes domicile in a rural opportunity zone on or after July 1,
13 2011, and prior to January 1, 2016, and was domiciled outside this state for
14 five or more years immediately prior to establishing their domicile in a
15 rural opportunity zone in this state;

16 (2) had Kansas source income less than \$10,000 in any one year for
17 five or more years immediately prior to establishing their domicile in a
18 rural opportunity zone in this state; ~~and~~

19 (3) was domiciled in a rural opportunity zone during the entire
20 taxable year for which such credit is claimed; *and*

21 (4) *for taxable years commencing after December 31, 2013, and*
22 *before January 1, 2017, is employed in a for-profit business during the*
23 *year in which such credit is claimed or employed in a for-profit or*
24 *nonprofit hospital, clinic, nursing home, long-term residential care facility,*
25 *hospice or medical professional office and directly engaged in providing*
26 *professional management or professional medical, dental, psychiatric,*
27 *optometric or other professional healthcare services to the public during*
28 *the year for which such credit is claimed and is not employed by a public*
29 *entity during the year for which such credit is claimed. For purposes of*
30 *this section, "public entity" means the state of Kansas, political*
31 *subdivisions, cities, counties, state universities or colleges, school*
32 *districts, all special districts, joint agreement entities, public authorities,*
33 *public trusts and nonprofit corporations or other organizations which are*
34 *operated with public money, but not including hospitals, clinics, nursing*
35 *homes, long-term residential care facilities, hospices or professional*
36 *offices providing medical, dental, psychiatric, optometric or other*

1 *healthcare services to the public. This paragraph shall not apply to*
2 *resident individuals who established domicile in a rural opportunity zone*
3 *before July 1, 2014.*

4 (b) A resident individual may claim the credit authorized by this
5 section for not more than five consecutive years following establishment
6 of their domicile in a rural opportunity zone.

7 (c) The maximum amount of any refund under this section shall be
8 equal to the amount withheld from the resident individual's wages or
9 payments other than wages pursuant to K.S.A. 79-3294 et seq., and
10 amendments thereto, or paid by the resident individual as estimated taxes
11 pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

12 (d) No credit shall be allowed under this section if:

13 (1) The resident individual's income tax return on which the credit is
14 claimed is not timely filed, including any extension; or

15 (2) the resident individual is delinquent in filing any return with, or
16 paying any tax due to, the state of Kansas or any political subdivision
17 thereof.

18 (e) This section shall be part of and supplemental to the Kansas
19 income tax act.

20 Sec. 2. K.S.A. 2013 Supp. 79-32,267 is hereby repealed.

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