

Kansas

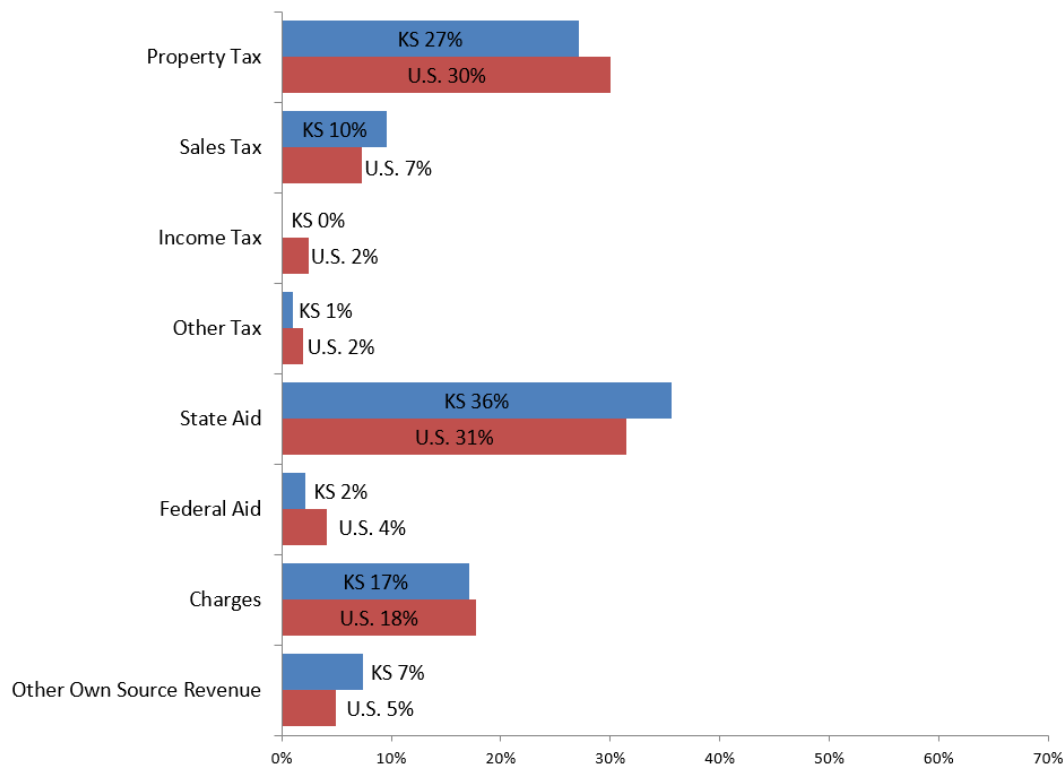
Highlights

Property taxes support expenditures by the state, counties, cities, townships, schools, and special districts. Almost three-fourths of total general property tax revenue goes to support school and county functions; the state receives only 1 percent of the total (Kansas Department of Revenue 2019). Kansas local governments receive 27 percent of general revenue from the property tax (figure KS-1).

Property is classified into 14 different classes with different assessment ratios. Seven of these classes are for real property, and six are for personal property. Residential property receives an assessment ratio of 11.5 percent. Thus, homeowners multiply the stated property tax rate by \$11,500 if their home's market value is \$100,000 ($\$100,000 \times 0.115$).

Kansas does tax tangible personal property other than business inventories or household goods but has reduced its reliance on this source by exempting commercial and industrial machinery and equipment purchased or leased after 2006. A locally assessed intangible personal property tax is imposed by some counties and by a few cities, but mostly by townships.

Figure KS-1
Sources of Local General Revenue, Kansas and U.S., 2017



Source: U.S. Census via Significant Features of the Property Tax

Property Tax Reliance

Traditionally, Kansas sought to be average in national rankings of state-local taxation, and selected property tax statistics mostly confirm that preference (table KS-1).

Table KS-1
Selected Kansas Property Tax Statistics, 2017¹

	Kansas	U.S. Average	Rank (of 51) <i>1 is highest</i>
Per capita property tax	\$1,553	\$1,618	24
Property tax percentage of personal income	3.2%	3.1%	19
Total property tax as percentage of state-local revenue	16.9%	16.2%	18
Median owner-occupied home value ²	\$145,400	\$222,041	42
Median real estate taxes paid for owner-occupied home ²	\$2,045	\$2,412	26
Effective tax rate, median owner-occupied home ³	1.4%	1.1%	15

Sources: [U.S. Census via Significant Features of the Property Tax](#), American Community Survey

¹ All revenue numbers in this table include the state government as well as local governments.

² The statistics for [median owner-occupied home value](#) and [median real estate taxes paid for owner-occupied home](#) are five-year average statistics for years 2014-2018.

³ Calculated as the median real estate tax paid on owner-occupied homes as a percent of the median owner-occupied home value.

Administration and Assessment

The Kansas Constitution requires a “uniform and equal rate of assessment and taxation,” with statutes providing a definition of fair market value that county appraisers are required to follow in placing values on property. An exception to fair market value is agricultural land, which is valued on its productivity, or use value.

Each of the state’s 105 counties is a separate appraisal district with responsibility for the determination of assessed valuation (and the collection of property taxes) under state oversight. Based on constitutional amendments in 1986 and 1992, real property is divided into seven subclasses (including residential purpose property assessed at 11.5 percent and commercial and industrial property assessed at 25 percent); personal property is divided into seven subclasses.

Local appraisers are certified by the state and hired by counties and must follow state rules to ensure assessment uniformity. The statistical standards were established by a 1993 state district court case and a court-ordered consent decree.

Limits on Property Taxation

A property tax levy lid passed in 2015 provides that subject to certain exceptions, no city or county may increase the amount of ad valorem tax to be levied over the amount levied in the prior year by an amount greater than the growth in the consumer price index without a vote of the public. This lid took effect in 2017.

Property Tax Relief and Incentives

The Kansas Homestead Refund Program, a type of circuit breaker enacted in 1970, provides a rebate of a portion of the property taxes paid on a Kansas resident's homestead based on the total household income (table KS-2). The maximum refund is \$700. A Kansas resident for the entire year is eligible if the total household income is \$34,500 (in 2018) or less and the individual is 55 years of age or older *or* was blind or disabled in the year *or* had a dependent child under 18 who lived there all year and was claimed as a personal exemption. Changes in 2007 excluded 50 percent of Social Security benefits from the definition of income and barred from the program any homeowners with a residence valued at \$350,000 or more. In 2012, the homestead program was amended to make it available only to owners, thereby excluding renters.

In 2008, Kansas enacted the Selective Assistance for Effective Senior Relief ("SAFE Senior") Act, providing a refundable income tax credit of 75 percent of residential property taxes paid for those taxpayers age 65 or older with low household income. In 2018, the income limit was \$19,500. An individual can claim either the Homestead refund or a SAFE Senior refund, but not both.

Kansas allows governmental units to exempt real and personal property, and to enter into in lieu payments, to induce certain economic development activities. These programs are tied to the issuance of industrial revenue bonds, the Economic Development Exemptions program, and/or tax increment financing.

Table KS-2
Kansas Property Tax Features, 2018

Feature	Kansas	Count for 50 states plus DC
Statewide classification of real property	Yes	25
Assessment of property primarily by county	Yes	31
Limits on property tax rates or levies	Yes	45
Limits on the rate of growth of assessed value	No	19
Circuit breaker property tax relief program	Yes	34

Sources: Significant Features of the Property Tax

Key Property Tax History

From 1964 to 1988, all Kansas property was assessed at 30 percent of market value. In 1986, the state moved to a property tax classification system, which was expanded and modified in 1992.

In 1997, a law was enacted allowing homesteads an exemption from the statewide school levy.

In 1998, the legislature enacted an income tax credit against property tax paid on commercial and industrial machinery and equipment. A 2006 law exempted from property taxation all commercial, industrial, telecommunications, and railroad machinery and equipment acquired by qualified purchase or lease after June 30, 2006 (or transported into the state after that date) for the purpose of expanding an existing business or creating a new business. In 2005, machinery accounted for 6.1 percent of statewide assessed valuation; by 2014, it accounted for 2.1 percent with the run-off of older properties continuing.

In 1999, a tight tax lid was allowed to expire and was replaced by a simple “truth in taxation” provision. This provision required a city or other taxing jurisdiction to adopt an ordinance if revenues from property taxes for the next budget year exceeded those of the prior year unless the increase was due to new improvements to real property, annexations, or certain other reasons. The law did not apply to property taxes levied for the sole purpose of repaying debt. The 1999 provision was replaced by a tighter tax lid in 2015. The new tax lid, which took effect in 2017, provides that subject to certain exceptions, no city or county may increase the amount of ad valorem tax to be levied over the amount levied in the prior year by an amount greater than the consumer price index without a vote of the public (Lefler 2016).

Recent Developments

In March 2014, the Kansas Supreme Court issued its opinion in *Gannon v. State* reaffirming that there is both an adequacy and equity component in determining whether the legislature has met its constitutional obligations for funding education. In February 2016, the Kansas Supreme Court ruled in *Gannon II* that the legislature had not sufficiently complied with its prior equity order in *Gannon I*. Specifically, the court stated that state aid formulas do not provide students with “reasonably equal access to substantially similar educational opportunity through similar tax effort.” In October 2017, for the fifth time in seven years, the Kansas Supreme Court ruled that the state’s system for funding education fails to meet constitutional standards for both adequacy and equity. The court ordered the state to enact a new funding system before the end of April 2018. Just before the deadline, the legislature enacted a five-year, \$500 million school funding increase. The Supreme Court ruled this increase would satisfy the constitution’s requirements for adequacy and equity if the funding was adjusted for inflation, estimated to cost between \$50 and \$90 million per year, and retained jurisdiction through June 20, 2019. In April 2019, Governor Laura Kelly signed into law a bill that increases school funding by \$90 million per year for four years and indexes future funding to the CPI. The bill also includes some accountability measures. In June 2019, the Kansas Supreme Court ruled Governor Kelly’s funding plan constitutional, but the court will continue to oversee the case to ensure lawmakers comply with previous mandates (SchoolFunding.Info).

The Kansas City Metro Area that spans the border between Kansas and Missouri has been the epicenter of a fierce bidding war for business since around 2009 (Hamilton 2019). According to the Hall Family Foundation (2019), Missouri has awarded \$151 million in incentives over the last 10 years to lure businesses across the border from Johnson and Wyandotte Counties in Kansas, and Kansas has spent \$184 million luring businesses over from Jackson County. Kansas has netted 1,200 jobs in the process. In 2019, Missouri passed SB 182 to prohibit the use of tax incentives by border counties for businesses relocating over the border from Kansas. The ban on incentives was to take effect only if Kansas were to enact comparable legislation. The states agreed to the truce in August 2019. Kansas Governor Laura Kelly signed Executive Order No. 19-09 on August 2, 2019, and Kansas City, Missouri passed Ordinance No. 190793 on January 30, 2020.

Resources

Carpenter, Tim. 2019. “Gov. Laura Kelly, Legislature await Supreme Court Analysis of New K-12 Funding Fix.” *Topeka Capital-Journal*, April 7. www.cjonline.com/news/20190406/gov-laura-kelly-legislature-await-supreme-court-analysis-of-new-k-12-funding-fix

Division of Property Valuation (annual). “Statistical Report of Property Assessment and Taxation.” Topeka, KS: Kansas Department of Revenue. www.ksrevenue.org/pvdstatewide.html

Fisher, Glenn W. 2006. “Erosion of the Kansas Property Tax Base.” Wichita, KS: Kansas Public Finance Center, Hugo Wall School of Urban and Public Affairs, Wichita State University. (December).

www.wichita.edu/academics/fairmount_college_of_liberal_arts_and_sciences/hugowall/documents/Er_osition_of_the_Kansas_Property_Tax_Base.pdf

Hall Family Foundation. 2019. "Forward Progress to End the Economic Border War." January 29. www.hallfamilyfoundation.org/whats-new/forward-progress-end-economic-border-war/

Hamilton, Billy. 2019. "Ending the Kansas-Missouri Border War — Maybe." *State Tax Notes*. (April 2). www.taxnotes.com/state-tax-today/tax-preference-items-and-incentives/ending-kansas-missouri-border-war-maybe/2019/04/02/295wk

Heim, Mike. 2015. "Kansas Tax Lids: A Lengthy History." Topeka, KS: Reviser of Statutes Office. (October 9). <http://caak.us/files/CLE%20Papers/6.%20A%20History%20of%20the%20Property%20Tax%20Lid%20-%20Mike%20Heim,%20Senior%20Assistant%20Revisor%20of%20Statutes,%20Office%20of%20Revisor%20of%20Statutes%20-%202010-9-15.pdf>

Kansas Department of Revenue. 2019. "Annual Report for 2018." Topeka, KS: Kansas Department of Revenue. www.ksrevenue.org/pdf/ar18complete.pdf

Kansas Department of Revenue. 2018. "Tax Expenditure Report, Calendar Year 2017." Topeka, KS: Kansas Department of Revenue. www.ksrevenue.org/pdf/taxexpreport17.pdf

Kansas Office of Revisor of Statutes Office. "School Finance." www.ksrevisor.org/schoolfinance.html

Lefler, Dion. 2016. "Understanding the Property-Tax Lid Controversy in Kansas." *Wichita Eagle*, February 9. www.kansas.com/news/politics-government/article59412427.html

Legislative Division of Post Audit. 2005. "Property Valuation in Kansas: Reviewing the Valuation of Agricultural and Commercial Properties." Topeka, KS: Legislative Division of Post Audit. Report 05-04. (March). www.kslpa.org/wp-content/uploads/2019/08/r-05-04.pdf

Legislative Division of Post Audit. 2010. "Kansas Tax Revenues, Part III: Reviewing Property Tax Exemptions." Topeka, KS: Legislative Division of Post Audit. Report 10PA03.3. (March).

Legislative Research Department. 2016. "Homestead Program." In *Kansas Legislator Briefing Book 2017*. Topeka, KS: Legislative Research Department. www.kslegresearch.org/KLRD-web/Publications/BriefingBook/2017Briefs/J-2-HomesteadProgram.pdf

Legislative Research Department. 2017. "2017 Summary of Legislation." Topeka, KS: Legislative Research Department. www.kslegresearch.org/KLRD-web/Publications/SummaryofLegislation/2017_summary_of_legislation.pdf

SchoolFunding.Info. "Kansas." <http://schoolfunding.info/litigation-map/kansas/>

Significant Features of the Property Tax. www.lincolninst.edu/research-data/data-toolkits/significant-features-property-tax. Lincoln Institute of Land Policy and George Washington Institute of Public Policy.

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