

SENATE BILL No. 415

By Committee on Assessment and Taxation

1-23

AN ACT relating to taxation; concerning the payment of liability by electronic funds transfer; amending K.S.A. 75-5151 and repealing the existing section.

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

Section 1. K.S.A. 75-5151 is hereby amended to read as follows: 75-5151. The secretary of revenue may require, consistent with sound cash management policies, that any taxpayer whose total sales tax liability exceeds \$100,000 in any calendar year, any taxpayer whose total withholding tax liability exceeds \$100,000 in any calendar year, and any person owing any taxes or fees in connection with any return, report or document other than for sales tax or withholding tax liability, shall remit their tax liability by electronic funds transfer no later than the date required for such remittance except that the secretary may adopt rules and regulations prescribing alternative filing and payment dates not later than the last day of the month in which the tax was otherwise due. Electronic funds transfers may be made by wire transfers of funds through the federal reserve system or by any other means established by the secretary, with the approval of the state treasurer, which insures the availability of such funds to the state on the date of payment. Evidence of such payment shall be furnished to the secretary on or before the due date of the tax as established by law. Failure to timely make such payment in immediately available funds or failure to provide such evidence of payment in a timely manner shall subject the taxpayer to penalty and interest as provided by law for delinquent or deficient tax payments. *At any time after the secretary of revenue has given a taxpayer written notice that payment of tax liability by electronic funds transfer is required, then timely payment by any method other than electronic funds transfer shall be considered delinquent and subject to penalty and interest as if made no earlier than one day following the due date for such payment.*

Sec. 2. K.S.A. 75-5151 is hereby repealed.

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