

HOUSE BILL No. 2472

By Committee on Taxation

2-15

9 AN ACT concerning law libraries; relating to fee increase authority; sales
10 tax exemption; amending K.S.A. 2004 Supp. 20-3129 and 79-3606 and
11 repealing the existing sections.
12

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

14 Section 1. K.S.A. 2004 Supp. 20-3129 is hereby amended to read as
15 follows: 20-3129. (a) Subject to the limitations contained in this section,
16 the clerks of the district courts shall tax a library fee in an amount deter-
17 mined by the trustees of the law library in each county for the benefit
18 and account of the law library in each county. Such library fee shall be
19 not less than \$2 nor more than ~~\$10~~ \$14 in all cases commenced pursuant
20 to chapter 60 of the Kansas Statutes Annotated and in all felony criminal
21 cases and shall be not less than \$.50 nor more than ~~\$7~~ \$10 in all other
22 cases. The trustee of the law library in each county may increase law
23 library fees under this subsection once per calendar year as of July 1.
24 Changed law library fees shall be effective as of that date and when filed
25 with the clerk of the supreme court. The trustees of the law library in
26 each county shall file with the respective clerks the fees to be charged in
27 that court.

28 (b) The fees provided for by subsection (a) shall be deducted from
29 the docket fee.

30 (c) In criminal cases where the case is dismissed by the state, the
31 county shall be liable for the library fee. Where appeals from conviction
32 in the municipal court are dismissed for want of prosecution, or by the
33 defendant, the state or city shall collect the library fee. Upon failure of
34 the state or city to do so within 90 days after the dismissal, the county
35 from which the appeal is taken shall be liable therefor.

36 Sec. 2. K.S.A. 2004 Supp. 79-3606 is hereby amended to read as
37 follows: 79-3606. The following shall be exempt from the tax imposed by
38 this act:

39 (a) All sales of motor-vehicle fuel or other articles upon which a sales
40 or excise tax has been paid, not subject to refund, under the laws of this
41 state except cigarettes as defined by K.S.A. 79-3301 and amendments
42 thereto, cereal malt beverages and malt products as defined by K.S.A. 79-
43 3817 and amendments thereto, including wort, liquid malt, malt syrup

1 and malt extract, which is not subject to taxation under the provisions of
2 K.S.A. 79-41a02 and amendments thereto, motor vehicles taxed pursuant
3 to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to
4 K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry serv-
5 ices taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and
6 gross receipts from regulated sports contests taxed pursuant to the Kansas
7 professional regulated sports act, and amendments thereto;

8 (b) all sales of tangible personal property or service, including the
9 renting and leasing of tangible personal property, purchased directly by
10 the state of Kansas, a political subdivision thereof, other than a school or
11 educational institution, or purchased by a public or private nonprofit hos-
12 pital or public hospital authority or nonprofit blood, tissue or organ bank
13 and used exclusively for state, political subdivision, hospital or public hos-
14 pital authority or nonprofit blood, tissue or organ bank purposes, except
15 when: (1) Such state, hospital or public hospital authority is engaged or
16 proposes to engage in any business specifically taxable under the provi-
17 sions of this act and such items of tangible personal property or service
18 are used or proposed to be used in such business, or (2) such political
19 subdivision is engaged or proposes to engage in the business of furnishing
20 gas, electricity or heat to others and such items of personal property or
21 service are used or proposed to be used in such business;

22 (c) all sales of tangible personal property or services, including the
23 renting and leasing of tangible personal property, purchased directly by
24 a public or private elementary or secondary school or public or private
25 nonprofit educational institution and used primarily by such school or
26 institution for nonsectarian programs and activities provided or sponsored
27 by such school or institution or in the erection, repair or enlargement of
28 buildings to be used for such purposes. The exemption herein provided
29 shall not apply to erection, construction, repair, enlargement or equip-
30 ment of buildings used primarily for human habitation;

31 (d) all sales of tangible personal property or services purchased by a
32 contractor for the purpose of constructing, equipping, reconstructing,
33 maintaining, repairing, enlarging, furnishing or remodeling facilities for
34 any public or private nonprofit hospital or public hospital authority, public
35 or private elementary or secondary school or a public or private nonprofit
36 educational institution, which would be exempt from taxation under the
37 provisions of this act if purchased directly by such hospital or public hos-
38 pital authority, school or educational institution; and all sales of tangible
39 personal property or services purchased by a contractor for the purpose
40 of constructing, equipping, reconstructing, maintaining, repairing, en-
41 larging, furnishing or remodeling facilities for any political subdivision of
42 the state or district described in subsection (s), the total cost of which is
43 paid from funds of such political subdivision or district and which would

1 be exempt from taxation under the provisions of this act if purchased
2 directly by such political subdivision or district. Nothing in this subsection
3 or in the provisions of K.S.A. 12-3418 and amendments thereto, shall be
4 deemed to exempt the purchase of any construction machinery, equip-
5 ment or tools used in the constructing, equipping, reconstructing, main-
6 taining, repairing, enlarging, furnishing or remodeling facilities for any
7 political subdivision of the state or any such district. As used in this sub-
8 section, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds
9 of a political subdivision" shall mean general tax revenues, the proceeds
10 of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used
11 for the purpose of constructing, equipping, reconstructing, repairing, en-
12 larging, furnishing or remodeling facilities which are to be leased to the
13 donor. When any political subdivision of the state, district described in
14 subsection (s), public or private nonprofit hospital or public hospital au-
15 thority, public or private elementary or secondary school or public or
16 private nonprofit educational institution shall contract for the purpose of
17 constructing, equipping, reconstructing, maintaining, repairing, enlarg-
18 ing, furnishing or remodeling facilities, it shall obtain from the state and
19 furnish to the contractor an exemption certificate for the project involved,
20 and the contractor may purchase materials for incorporation in such pro-
21 ject. The contractor shall furnish the number of such certificate to all
22 suppliers from whom such purchases are made, and such suppliers shall
23 execute invoices covering the same bearing the number of such certifi-
24 cate. Upon completion of the project the contractor shall furnish to the
25 political subdivision, district described in subsection (s), hospital or public
26 hospital authority, school or educational institution concerned a sworn
27 statement, on a form to be provided by the director of taxation, that all
28 purchases so made were entitled to exemption under this subsection. As
29 an alternative to the foregoing procedure, any such contracting entity may
30 apply to the secretary of revenue for agent status for the sole purpose of
31 issuing and furnishing project exemption certificates to contractors pur-
32 suant to rules and regulations adopted by the secretary establishing con-
33 ditions and standards for the granting and maintaining of such status. All
34 invoices shall be held by the contractor for a period of five years and shall
35 be subject to audit by the director of taxation. If any materials purchased
36 under such a certificate are found not to have been incorporated in the
37 building or other project or not to have been returned for credit or the
38 sales or compensating tax otherwise imposed upon such materials which
39 will not be so incorporated in the building or other project reported and
40 paid by such contractor to the director of taxation not later than the 20th
41 day of the month following the close of the month in which it shall be
42 determined that such materials will not be used for the purpose for which
43 such certificate was issued, the political subdivision, district described in

1 subsection (s), hospital or public hospital authority, school or educational
2 institution concerned shall be liable for tax on all materials purchased for
3 the project, and upon payment thereof it may recover the same from the
4 contractor together with reasonable attorney fees. Any contractor or any
5 agent, employee or subcontractor thereof, who shall use or otherwise
6 dispose of any materials purchased under such a certificate for any pur-
7 pose other than that for which such a certificate is issued without the
8 payment of the sales or compensating tax otherwise imposed upon such
9 materials, shall be guilty of a misdemeanor and, upon conviction therefor,
10 shall be subject to the penalties provided for in subsection (g) of K.S.A.
11 79-3615, and amendments thereto;

12 (e) all sales of tangible personal property or services purchased by a
13 contractor for the erection, repair or enlargement of buildings or other
14 projects for the government of the United States, its agencies or instru-
15 mentalities, which would be exempt from taxation if purchased directly
16 by the government of the United States, its agencies or instrumentalities.
17 When the government of the United States, its agencies or instrumen-
18 talities shall contract for the erection, repair, or enlargement of any build-
19 ing or other project, it shall obtain from the state and furnish to the
20 contractor an exemption certificate for the project involved, and the con-
21 tractor may purchase materials for incorporation in such project. The
22 contractor shall furnish the number of such certificates to all suppliers
23 from whom such purchases are made, and such suppliers shall execute
24 invoices covering the same bearing the number of such certificate. Upon
25 completion of the project the contractor shall furnish to the government
26 of the United States, its agencies or instrumentalities concerned a sworn
27 statement, on a form to be provided by the director of taxation, that all
28 purchases so made were entitled to exemption under this subsection. As
29 an alternative to the foregoing procedure, any such contracting entity may
30 apply to the secretary of revenue for agent status for the sole purpose of
31 issuing and furnishing project exemption certificates to contractors pur-
32 suant to rules and regulations adopted by the secretary establishing con-
33 ditions and standards for the granting and maintaining of such status. All
34 invoices shall be held by the contractor for a period of five years and shall
35 be subject to audit by the director of taxation. Any contractor or any agent,
36 employee or subcontractor thereof, who shall use or otherwise dispose of
37 any materials purchased under such a certificate for any purpose other
38 than that for which such a certificate is issued without the payment of
39 the sales or compensating tax otherwise imposed upon such materials,
40 shall be guilty of a misdemeanor and, upon conviction therefor, shall be
41 subject to the penalties provided for in subsection (g) of K.S.A. 79-3615
42 and amendments thereto;

43 (f) tangible personal property purchased by a railroad or public utility

- 1 for consumption or movement directly and immediately in interstate
2 commerce;
- 3 (g) sales of aircraft including remanufactured and modified aircraft
4 sold to persons using directly or through an authorized agent such aircraft
5 as certified or licensed carriers of persons or property in interstate or
6 foreign commerce under authority of the laws of the United States or any
7 foreign government or sold to any foreign government or agency or in-
8 strumentality of such foreign government and all sales of aircraft for use
9 outside of the United States and sales of aircraft repair, modification and
10 replacement parts and sales of services employed in the remanufacture,
11 modification and repair of aircraft;
- 12 (h) all rentals of nonsectarian textbooks by public or private elemen-
13 tary or secondary schools;
- 14 (i) the lease or rental of all films, records, tapes, or any type of sound
15 or picture transcriptions used by motion picture exhibitors;
- 16 (j) meals served without charge or food used in the preparation of
17 such meals to employees of any restaurant, eating house, dining car, hotel,
18 drugstore or other place where meals or drinks are regularly sold to the
19 public if such employees' duties are related to the furnishing or sale of
20 such meals or drinks;
- 21 (k) any motor vehicle, semitrailer or pole trailer, as such terms are
22 defined by K.S.A. 8-126 and amendments thereto, or aircraft sold and
23 delivered in this state to a bona fide resident of another state, which motor
24 vehicle, semitrailer, pole trailer or aircraft is not to be registered or based
25 in this state and which vehicle, semitrailer, pole trailer or aircraft will not
26 remain in this state more than 10 days;
- 27 (l) all isolated or occasional sales of tangible personal property, serv-
28 ices, substances or things, except isolated or occasional sale of motor
29 vehicles specifically taxed under the provisions of subsection (o) of K.S.A.
30 79-3603 and amendments thereto;
- 31 (m) all sales of tangible personal property which become an ingre-
32 dient or component part of tangible personal property or services pro-
33 duced, manufactured or compounded for ultimate sale at retail within or
34 without the state of Kansas; and any such producer, manufacturer or
35 compounder may obtain from the director of taxation and furnish to the
36 supplier an exemption certificate number for tangible personal property
37 for use as an ingredient or component part of the property or services
38 produced, manufactured or compounded;
- 39 (n) all sales of tangible personal property which is consumed in the
40 production, manufacture, processing, mining, drilling, refining or com-
41 pounding of tangible personal property, the treating of by-products or
42 wastes derived from any such production process, the providing of serv-
43 ices or the irrigation of crops for ultimate sale at retail within or without

1 the state of Kansas; and any purchaser of such property may obtain from
2 the director of taxation and furnish to the supplier an exemption certifi-
3 cate number for tangible personal property for consumption in such pro-
4 duction, manufacture, processing, mining, drilling, refining, compound-
5 ing, treating, irrigation and in providing such services;

6 (o) all sales of animals, fowl and aquatic plants and animals, the pri-
7 mary purpose of which is use in agriculture or aquaculture, as defined in
8 K.S.A. 47-1901, and amendments thereto, the production of food for
9 human consumption, the production of animal, dairy, poultry or aquatic
10 plant and animal products, fiber or fur, or the production of offspring for
11 use for any such purpose or purposes;

12 (p) all sales of drugs dispensed pursuant to a prescription order by a
13 licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-
14 1626, and amendments thereto. As used in this subsection, “drug” means
15 a compound, substance or preparation and any component of a com-
16 pound, substance or preparation, other than food and food ingredients,
17 dietary supplements or alcoholic beverages, recognized in the official
18 United States pharmacopoeia, official homeopathic pharmacopoeia of the
19 United States or official national formulary, and supplement to any of
20 them, intended for use in the diagnosis, cure, mitigation, treatment or
21 prevention of disease or intended to affect the structure or any function
22 of the body;

23 (q) all sales of insulin dispensed by a person licensed by the state
24 board of pharmacy to a person for treatment of diabetes at the direction
25 of a person licensed to practice medicine by the board of healing arts;

26 (r) all sales of prosthetic devices and mobility enhancing equipment
27 prescribed in writing by a person licensed to practice the healing arts,
28 dentistry or optometry, and in addition to such sales, all sales of hearing
29 aids, as defined by subsection (c) of K.S.A. 74-5807, and amendments
30 thereto, and replacement parts therefor, including batteries, by a person
31 licensed in the practice of dispensing and fitting hearing aids pursuant to
32 the provisions of K.S.A. 74-5808, and amendments thereto. For the pur-
33 poses of this subsection: (1) “Mobility enhancing equipment” means
34 equipment including repair and replacement parts to same, but does not
35 include durable medical equipment, which is primarily and customarily
36 used to provide or increase the ability to move from one place to another
37 and which is appropriate for use either in a home or a motor vehicle; is
38 not generally used by persons with normal mobility; and does not include
39 any motor vehicle or equipment on a motor vehicle normally provided by
40 a motor vehicle manufacturer; and (2) “prosthetic device” means a re-
41 placement, corrective or supportive device including repair and replace-
42 ment parts for same worn on or in the body to artificially replace a missing
43 portion of the body, prevent or correct physical deformity or malfunction

1 or support a weak or deformed portion of the body;

2 (s) except as provided in K.S.A. 2004 Supp. 82a-2101, and amend-
3 ments thereto, all sales of tangible personal property or services pur-
4 chased directly or indirectly by a groundwater management district or-
5 ganized or operating under the authority of K.S.A. 82a-1020 *et seq.* and
6 amendments thereto, by a rural water district organized or operating un-
7 der the authority of K.S.A. 82a-612, and amendments thereto, or by a
8 water supply district organized or operating under the authority of K.S.A.
9 19-3501 *et seq.*, 19-3522 *et seq.* or 19-3545, and amendments thereto,
10 which property or services are used in the construction activities, opera-
11 tion or maintenance of the district;

12 (t) all sales of farm machinery and equipment or aquaculture ma-
13 chinery and equipment, repair and replacement parts therefor and serv-
14 ices performed in the repair and maintenance of such machinery and
15 equipment. For the purposes of this subsection the term “farm machinery
16 and equipment or aquaculture machinery and equipment” shall include
17 machinery and equipment used in the operation of Christmas tree farm-
18 ing but shall not include any passenger vehicle, truck, truck tractor, trailer,
19 semitrailer or pole trailer, other than a farm trailer, as such terms are
20 defined by K.S.A. 8-126 and amendments thereto. Each purchaser of
21 farm machinery and equipment or aquaculture machinery and equipment
22 exempted herein must certify in writing on the copy of the invoice or
23 sales ticket to be retained by the seller that the farm machinery and
24 equipment or aquaculture machinery and equipment purchased will be
25 used only in farming, ranching or aquaculture production. Farming or
26 ranching shall include the operation of a feedlot and farm and ranch work
27 for hire and the operation of a nursery;

28 (u) all leases or rentals of tangible personal property used as a dwell-
29 ing if such tangible personal property is leased or rented for a period of
30 more than 28 consecutive days;

31 (v) all sales of tangible personal property to any contractor for use in
32 preparing meals for delivery to homebound elderly persons over 60 years
33 of age and to homebound disabled persons or to be served at a group-
34 sitting at a location outside of the home to otherwise homebound elderly
35 persons over 60 years of age and to otherwise homebound disabled per-
36 sons, as all or part of any food service project funded in whole or in part
37 by government or as part of a private nonprofit food service project avail-
38 able to all such elderly or disabled persons residing within an area of
39 service designated by the private nonprofit organization, and all sales of
40 tangible personal property for use in preparing meals for consumption by
41 indigent or homeless individuals whether or not such meals are consumed
42 at a place designated for such purpose, and all sales of food products by
43 or on behalf of any such contractor or organization for any such purpose;

1 (w) all sales of natural gas, electricity, heat and water delivered
2 through mains, lines or pipes: (1) To residential premises for noncom-
3 mercial use by the occupant of such premises; (2) for agricultural use and
4 also, for such use, all sales of propane gas; (3) for use in the severing of
5 oil; and (4) to any property which is exempt from property taxation pur-
6 suant to K.S.A. 79-201b *Second* through *Sixth*. As used in this paragraph,
7 “severing” shall have the meaning ascribed thereto by subsection (k) of
8 K.S.A. 79-4216, and amendments thereto. For all sales of natural gas,
9 electricity and heat delivered through mains, lines or pipes pursuant to
10 the provisions of subsection (w)(1) and (w)(2), the provisions of this sub-
11 section shall expire on December 31, 2005;

12 (x) all sales of propane gas, LP-gas, coal, wood and other fuel sources
13 for the production of heat or lighting for noncommercial use of an oc-
14 cupant of residential premises occurring prior to January 1, 2006;

15 (y) all sales of materials and services used in the repairing, servicing,
16 altering, maintaining, manufacturing, remanufacturing, or modification of
17 railroad rolling stock for use in interstate or foreign commerce under
18 authority of the laws of the United States;

19 (z) all sales of tangible personal property and services purchased di-
20 rectly by a port authority or by a contractor therefor as provided by the
21 provisions of K.S.A. 12-3418 and amendments thereto;

22 (aa) all sales of materials and services applied to equipment which is
23 transported into the state from without the state for repair, service, al-
24 teration, maintenance, remanufacture or modification and which is sub-
25 sequently transported outside the state for use in the transmission of
26 liquids or natural gas by means of pipeline in interstate or foreign com-
27 merce under authority of the laws of the United States;

28 (bb) all sales of used mobile homes or manufactured homes. As used
29 in this subsection: (1) “Mobile homes” and “manufactured homes” shall
30 have the meanings ascribed thereto by K.S.A. 58-4202 and amendments
31 thereto; and (2) “sales of used mobile homes or manufactured homes”
32 means sales other than the original retail sale thereof;

33 (cc) all sales of tangible personal property or services purchased for
34 the purpose of and in conjunction with constructing, reconstructing, en-
35 larging or remodeling a business or retail business which meets the
36 requirements established in K.S.A. 74-50,115 and amendments thereto,
37 and the sale and installation of machinery and equipment purchased for
38 installation at any such business or retail business. When a person shall
39 contract for the construction, reconstruction, enlargement or remodeling
40 of any such business or retail business, such person shall obtain from the
41 state and furnish to the contractor an exemption certificate for the project
42 involved, and the contractor may purchase materials, machinery and
43 equipment for incorporation in such project. The contractor shall furnish

1 the number of such certificates to all suppliers from whom such purchases
2 are made, and such suppliers shall execute invoices covering the same
3 bearing the number of such certificate. Upon completion of the project
4 the contractor shall furnish to the owner of the business or retail business
5 a sworn statement, on a form to be provided by the director of taxation,
6 that all purchases so made were entitled to exemption under this subsection.
7 All invoices shall be held by the contractor for a period of five years
8 and shall be subject to audit by the director of taxation. Any contractor
9 or any agent, employee or subcontractor thereof, who shall use or otherwise
10 dispose of any materials, machinery or equipment purchased under
11 such a certificate for any purpose other than that for which such a
12 certificate is issued without the payment of the sales or compensating tax
13 otherwise imposed thereon, shall be guilty of a misdemeanor and, upon
14 conviction therefor, shall be subject to the penalties provided for in subsection
15 (g) of K.S.A. 79-3615 and amendments thereto. As used in this
16 subsection, "business" and "retail business" have the meanings respectively
17 ascribed thereto by K.S.A. 74-50,114 and amendments thereto;

18 (dd) all sales of tangible personal property purchased with food
19 stamps issued by the United States department of agriculture;

20 (ee) all sales of lottery tickets and shares made as part of a lottery
21 operated by the state of Kansas;

22 (ff) on and after July 1, 1988, all sales of new mobile homes or manufactured
23 homes to the extent of 40% of the gross receipts, determined
24 without regard to any trade-in allowance, received from such sale. As used
25 in this subsection, "mobile homes" and "manufactured homes" shall have
26 the meanings ascribed thereto by K.S.A. 58-4202 and amendments
27 thereto;

28 (gg) all sales of tangible personal property purchased in accordance
29 with vouchers issued pursuant to the federal special supplemental food
30 program for women, infants and children;

31 (hh) all sales of medical supplies and equipment, including durable
32 medical equipment, purchased directly by a nonprofit skilled nursing
33 home or nonprofit intermediate nursing care home, as defined by K.S.A.
34 39-923, and amendments thereto, for the purpose of providing medical
35 services to residents thereof. This exemption shall not apply to tangible
36 personal property customarily used for human habitation purposes. As
37 used in this subsection, "durable medical equipment" means equipment
38 including repair and replacement parts for such equipment, but does not
39 include mobility enhancing equipment as defined in subsection (r) which
40 can withstand repeated use, is primarily and customarily used to serve a
41 medical purpose, generally is not useful to a person in the absence of
42 illness or injury and is not worn in or on the body;

43 (ii) all sales of tangible personal property purchased directly by a non-

1 profit organization for nonsectarian comprehensive multidiscipline youth
2 development programs and activities provided or sponsored by such or-
3 ganization, and all sales of tangible personal property by or on behalf of
4 any such organization. This exemption shall not apply to tangible personal
5 property customarily used for human habitation purposes;

6 (jj) all sales of tangible personal property or services, including the
7 renting and leasing of tangible personal property, purchased directly on
8 behalf of a community-based mental retardation facility or mental health
9 center organized pursuant to K.S.A. 19-4001 *et seq.*, and amendments
10 thereto, and licensed in accordance with the provisions of K.S.A. 75-
11 3307b and amendments thereto and all sales of tangible personal property
12 or services purchased by contractors during the time period from July,
13 2003, through June, 2004, for the purpose of constructing, equipping,
14 maintaining or furnishing a new facility for a community-based mental
15 retardation facility or mental health center located in Riverton, Cherokee
16 County, Kansas, which would have been eligible for sales tax exemption
17 pursuant to this subsection if purchased directly by such facility or center.
18 This exemption shall not apply to tangible personal property customarily
19 used for human habitation purposes;

20 (kk) (1) (A) all sales of machinery and equipment which are used in
21 this state as an integral or essential part of an integrated production op-
22 eration by a manufacturing or processing plant or facility;

23 (B) all sales of installation, repair and maintenance services per-
24 formed on such machinery and equipment; and

25 (C) all sales of repair and replacement parts and accessories pur-
26 chased for such machinery and equipment.

27 (2) For purposes of this subsection:

28 (A) "Integrated production operation" means an integrated series of
29 operations engaged in at a manufacturing or processing plant or facility
30 to process, transform or convert tangible personal property by physical,
31 chemical or other means into a different form, composition or character
32 from that in which it originally existed. Integrated production operations
33 shall include: (i) Production line operations, including packaging opera-
34 tions; (ii) preproduction operations to handle, store and treat raw mate-
35 rials; (iii) post production handling, storage, warehousing and distribution
36 operations; and (iv) waste, pollution and environmental control opera-
37 tions, if any;

38 (B) "production line" means the assemblage of machinery and equip-
39 ment at a manufacturing or processing plant or facility where the actual
40 transformation or processing of tangible personal property occurs;

41 (C) "manufacturing or processing plant or facility" means a single,
42 fixed location owned or controlled by a manufacturing or processing busi-
43 ness that consists of one or more structures or buildings in a contiguous

1 area where integrated production operations are conducted to manufac-
2 ture or process tangible personal property to be ultimately sold at retail.
3 Such term shall not include any facility primarily operated for the purpose
4 of conveying or assisting in the conveyance of natural gas, electricity, oil
5 or water. A business may operate one or more manufacturing or proc-
6 essing plants or facilities at different locations to manufacture or process
7 a single product of tangible personal property to be ultimately sold at
8 retail;

9 (D) “manufacturing or processing business” means a business that
10 utilizes an integrated production operation to manufacture, process, fab-
11 ricate, finish, or assemble items for wholesale and retail distribution as
12 part of what is commonly regarded by the general public as an industrial
13 manufacturing or processing operation or an agricultural commodity
14 processing operation. (i) Industrial manufacturing or processing opera-
15 tions include, by way of illustration but not of limitation, the fabrication
16 of automobiles, airplanes, machinery or transportation equipment, the
17 fabrication of metal, plastic, wood, or paper products, electricity power
18 generation, water treatment, petroleum refining, chemical production,
19 wholesale bottling, newspaper printing, ready mixed concrete production,
20 and the remanufacturing of used parts for wholesale or retail sale. Such
21 processing operations shall include operations at an oil well, gas well, mine
22 or other excavation site where the oil, gas, minerals, coal, clay, stone, sand
23 or gravel that has been extracted from the earth is cleaned, separated,
24 crushed, ground, milled, screened, washed, or otherwise treated or pre-
25 pared before its transmission to a refinery or before any other wholesale
26 or retail distribution. (ii) Agricultural commodity processing operations
27 include, by way of illustration but not of limitation, meat packing, poultry
28 slaughtering and dressing, processing and packaging farm and dairy prod-
29 ucts in sealed containers for wholesale and retail distribution, feed grind-
30 ing, grain milling, frozen food processing, and grain handling, cleaning,
31 blending, fumigation, drying and aeration operations engaged in by grain
32 elevators or other grain storage facilities. (iii) Manufacturing or processing
33 businesses do not include, by way of illustration but not of limitation,
34 nonindustrial businesses whose operations are primarily retail and that
35 produce or process tangible personal property as an incidental part of
36 conducting the retail business, such as retailers who bake, cook or prepare
37 food products in the regular course of their retail trade, grocery stores,
38 meat lockers and meat markets that butcher or dress livestock or poultry
39 in the regular course of their retail trade, contractors who alter, service,
40 repair or improve real property, and retail businesses that clean, service
41 or refurbish and repair tangible personal property for its owner;

42 (E) “repair and replacement parts and accessories” means all parts
43 and accessories for exempt machinery and equipment, including, but not

1 limited to, dies, jigs, molds, patterns and safety devices that are attached
2 to exempt machinery or that are otherwise used in production, and parts
3 and accessories that require periodic replacement such as belts, drill bits,
4 grinding wheels, grinding balls, cutting bars, saws, refractory brick and
5 other refractory items for exempt kiln equipment used in production
6 operations;

7 (F) “primary” or “primarily” mean more than 50% of the time.

8 (3) For purposes of this subsection, machinery and equipment shall
9 be deemed to be used as an integral or essential part of an integrated
10 production operation when used:

11 (A) To receive, transport, convey, handle, treat or store raw materials
12 in preparation of its placement on the production line;

13 (B) to transport, convey, handle or store the property undergoing
14 manufacturing or processing at any point from the beginning of the pro-
15 duction line through any warehousing or distribution operation of the
16 final product that occurs at the plant or facility;

17 (C) to act upon, effect, promote or otherwise facilitate a physical
18 change to the property undergoing manufacturing or processing;

19 (D) to guide, control or direct the movement of property undergoing
20 manufacturing or processing;

21 (E) to test or measure raw materials, the property undergoing man-
22 ufacturing or processing or the finished product, as a necessary part of
23 the manufacturer’s integrated production operations;

24 (F) to plan, manage, control or record the receipt and flow of inven-
25 tories of raw materials, consumables and component parts, the flow of
26 the property undergoing manufacturing or processing and the manage-
27 ment of inventories of the finished product;

28 (G) to produce energy for, lubricate, control the operating of or oth-
29 erwise enable the functioning of other production machinery and equip-
30 ment and the continuation of production operations;

31 (H) to package the property being manufactured or processed in a
32 container or wrapping in which such property is normally sold or
33 transported;

34 (I) to transmit or transport electricity, coke, gas, water, steam or sim-
35 ilar substances used in production operations from the point of genera-
36 tion, if produced by the manufacturer or processor at the plant site, to
37 that manufacturer’s production operation; or, if purchased or delivered
38 from offsite, from the point where the substance enters the site of the
39 plant or facility to that manufacturer’s production operations;

40 (J) to cool, heat, filter, refine or otherwise treat water, steam, acid,
41 oil, solvents or other substances that are used in production operations;

42 (K) to provide and control an environment required to maintain cer-
43 tain levels of air quality, humidity or temperature in special and limited

- 1 areas of the plant or facility, where such regulation of temperature or
2 humidity is part of and essential to the production process;
- 3 (L) to treat, transport or store waste or other byproducts of produc-
4 tion operations at the plant or facility; or
- 5 (M) to control pollution at the plant or facility where the pollution is
6 produced by the manufacturing or processing operation.
- 7 (4) The following machinery, equipment and materials shall be
8 deemed to be exempt even though it may not otherwise qualify as ma-
9 chinery and equipment used as an integral or essential part of an inte-
10 grated production operation: (A) Computers and related peripheral
11 equipment that are utilized by a manufacturing or processing business
12 for engineering of the finished product or for research and development
13 or product design; (B) machinery and equipment that is utilized by a
14 manufacturing or processing business to manufacture or rebuild tangible
15 personal property that is used in manufacturing or processing operations,
16 including tools, dies, molds, forms and other parts of qualifying machinery
17 and equipment; (C) portable plants for aggregate concrete, bulk cement
18 and asphalt including cement mixing drums to be attached to a motor
19 vehicle; (D) industrial fixtures, devices, support facilities and special foun-
20 dations necessary for manufacturing and production operations, and ma-
21 terials and other tangible personal property sold for the purpose of fab-
22 ricating such fixtures, devices, facilities and foundations. An exemption
23 certificate for such purchases shall be signed by the manufacturer or
24 processor. If the fabricator purchases such material, the fabricator shall
25 also sign the exemption certificate; and (E) a manufacturing or processing
26 business' laboratory equipment that is not located at the plant or facility,
27 but that would otherwise qualify for exemption under subsection (3)(E).
- 28 (5) "Machinery and equipment used as an integral or essential part
29 of an integrated production operation" shall not include:
- 30 (A) Machinery and equipment used for nonproduction purposes, in-
31 cluding, but not limited to, machinery and equipment used for plant se-
32 curity, fire prevention, first aid, accounting, administration, record keep-
33 ing, advertising, marketing, sales or other related activities, plant cleaning,
34 plant communications, and employee work scheduling;
- 35 (B) machinery, equipment and tools used primarily in maintaining
36 and repairing any type of machinery and equipment or the building and
37 plant;
- 38 (C) transportation, transmission and distribution equipment not pri-
39 marily used in a production, warehousing or material handling operation
40 at the plant or facility, including the means of conveyance of natural gas,
41 electricity, oil or water, and equipment related thereto, located outside
42 the plant or facility;
- 43 (D) office machines and equipment including computers and related

- 1 peripheral equipment not used directly and primarily to control or mea-
2 sure the manufacturing process;
- 3 (E) furniture and other furnishings;
- 4 (F) buildings, other than exempt machinery and equipment that is
5 permanently affixed to or becomes a physical part of the building, and
6 any other part of real estate that is not otherwise exempt;
- 7 (G) building fixtures that are not integral to the manufacturing op-
8 eration, such as utility systems for heating, ventilation, air conditioning,
9 communications, plumbing or electrical;
- 10 (H) machinery and equipment used for general plant heating, cooling
11 and lighting;
- 12 (I) motor vehicles that are registered for operation on public high-
13 ways; or
- 14 (J) employee apparel, except safety and protective apparel that is pur-
15 chased by an employer and furnished gratuitously to employees who are
16 involved in production or research activities.
- 17 (6) Subsections (3) and (5) shall not be construed as exclusive listings
18 of the machinery and equipment that qualify or do not qualify as an
19 integral or essential part of an integrated production operation. When
20 machinery or equipment is used as an integral or essential part of pro-
21 duction operations part of the time and for nonproduction purpose at
22 other times, the primary use of the machinery or equipment shall deter-
23 mine whether or not such machinery or equipment qualifies for
24 exemption.
- 25 (7) The secretary of revenue shall adopt rules and regulations nec-
26 essary to administer the provisions of this subsection;
- 27 (ll) all sales of educational materials purchased for distribution to the
28 public at no charge by a nonprofit corporation organized for the purpose
29 of encouraging, fostering and conducting programs for the improvement
30 of public health;
- 31 (mm) all sales of seeds and tree seedlings; fertilizers, insecticides,
32 herbicides, germicides, pesticides and fungicides; and services, purchased
33 and used for the purpose of producing plants in order to prevent soil
34 erosion on land devoted to agricultural use;
- 35 (nn) except as otherwise provided in this act, all sales of services ren-
36 dered by an advertising agency or licensed broadcast station or any mem-
37 ber, agent or employee thereof;
- 38 (oo) all sales of tangible personal property purchased by a community
39 action group or agency for the exclusive purpose of repairing or weath-
40 erizing housing occupied by low income individuals;
- 41 (pp) all sales of drill bits and explosives actually utilized in the explo-
42 ration and production of oil or gas;
- 43 (qq) all sales of tangible personal property and services purchased by

- 1 a nonprofit museum or historical society or any combination thereof, in-
2 cluding a nonprofit organization which is organized for the purpose of
3 stimulating public interest in the exploration of space by providing edu-
4 cational information, exhibits and experiences, which is exempt from fed-
5 eral income taxation pursuant to section 501(c)(3) of the federal internal
6 revenue code of 1986;
- 7 (rr) all sales of tangible personal property which will admit the pur-
8 chaser thereof to any annual event sponsored by a nonprofit organization
9 which is exempt from federal income taxation pursuant to section
10 501(c)(3) of the federal internal revenue code of 1986;
- 11 (ss) all sales of tangible personal property and services purchased by
12 a public broadcasting station licensed by the federal communications
13 commission as a noncommercial educational television or radio station;
- 14 (tt) all sales of tangible personal property and services purchased by
15 or on behalf of a not-for-profit corporation which is exempt from federal
16 income taxation pursuant to section 501(c)(3) of the federal internal rev-
17 enue code of 1986, for the sole purpose of constructing a Kansas Korean
18 War memorial;
- 19 (uu) all sales of tangible personal property and services purchased by
20 or on behalf of any rural volunteer fire-fighting organization for use ex-
21 clusively in the performance of its duties and functions;
- 22 (vv) all sales of tangible personal property purchased by any of the
23 following organizations which are exempt from federal income taxation
24 pursuant to section 501 (c)(3) of the federal internal revenue code of
25 1986, for the following purposes, and all sales of any such property by or
26 on behalf of any such organization for any such purpose:
- 27 (1) The American Heart Association, Kansas Affiliate, Inc. for the
28 purposes of providing education, training, certification in emergency car-
29 diac care, research and other related services to reduce disability and
30 death from cardiovascular diseases and stroke;
- 31 (2) the Kansas Alliance for the Mentally Ill, Inc. for the purpose of
32 advocacy for persons with mental illness and to education, research and
33 support for their families;
- 34 (3) the Kansas Mental Illness Awareness Council for the purposes of
35 advocacy for persons who are mentally ill and to education, research and
36 support for them and their families;
- 37 (4) the American Diabetes Association Kansas Affiliate, Inc. for the
38 purpose of eliminating diabetes through medical research, public edu-
39 cation focusing on disease prevention and education, patient education
40 including information on coping with diabetes, and professional education
41 and training;
- 42 (5) the American Lung Association of Kansas, Inc. for the purpose of
43 eliminating all lung diseases through medical research, public education

1 including information on coping with lung diseases, professional educa-
2 tion and training related to lung disease and other related services to
3 reduce the incidence of disability and death due to lung disease;
4 (6) the Kansas chapters of the Alzheimer's Disease and Related Dis-
5 orders Association, Inc. for the purpose of providing assistance and sup-
6 port to persons in Kansas with Alzheimer's disease, and their families and
7 caregivers;
8 (7) the Kansas chapters of the Parkinson's disease association for the
9 purpose of eliminating Parkinson's disease through medical research and
10 public and professional education related to such disease;
11 (8) the National Kidney Foundation of Kansas and Western Missouri
12 for the purpose of eliminating kidney disease through medical research
13 and public and private education related to such disease;
14 (9) the heartstrings community foundation for the purpose of provid-
15 ing training, employment and activities for adults with developmental
16 disabilities;
17 (10) the Cystic Fibrosis Foundation, Heart of America Chapter, for
18 the purposes of assuring the development of the means to cure and con-
19 trol cystic fibrosis and improving the quality of life for those with the
20 disease; and
21 (11) the spina bifida association of Kansas for the purpose of provid-
22 ing financial, educational and practical aid to families and individuals with
23 spina bifida. Such aid includes, but is not limited to, funding for medical
24 devices, counseling and medical educational opportunities;
25 (ww) all sales of tangible personal property purchased by the Habitat
26 for Humanity for the exclusive use of being incorporated within a housing
27 project constructed by such organization;
28 (xx) all sales of tangible personal property and services purchased by
29 a nonprofit zoo which is exempt from federal income taxation pursuant
30 to section 501(c)(3) of the federal internal revenue code of 1986, or on
31 behalf of such zoo by an entity itself exempt from federal income taxation
32 pursuant to section 501(c)(3) of the federal internal revenue code of 1986
33 contracted with to operate such zoo and all sales of tangible personal
34 property or services purchased by a contractor for the purpose of con-
35 structing, equipping, reconstructing, maintaining, repairing, enlarging,
36 furnishing or remodeling facilities for any nonprofit zoo which would be
37 exempt from taxation under the provisions of this section if purchased
38 directly by such nonprofit zoo or the entity operating such zoo. Nothing
39 in this subsection shall be deemed to exempt the purchase of any con-
40 struction machinery, equipment or tools used in the constructing, equip-
41 ping, reconstructing, maintaining, repairing, enlarging, furnishing or re-
42 modeling facilities for any nonprofit zoo. When any nonprofit zoo shall
43 contract for the purpose of constructing, equipping, reconstructing, main-

1 taining, repairing, enlarging, furnishing or remodeling facilities, it shall
2 obtain from the state and furnish to the contractor an exemption certifi-
3 cate for the project involved, and the contractor may purchase materials
4 for incorporation in such project. The contractor shall furnish the number
5 of such certificate to all suppliers from whom such purchases are made,
6 and such suppliers shall execute invoices covering the same bearing the
7 number of such certificate. Upon completion of the project the contractor
8 shall furnish to the nonprofit zoo concerned a sworn statement, on a form
9 to be provided by the director of taxation, that all purchases so made were
10 entitled to exemption under this subsection. All invoices shall be held by
11 the contractor for a period of five years and shall be subject to audit by
12 the director of taxation. If any materials purchased under such a certifi-
13 cate are found not to have been incorporated in the building or other
14 project or not to have been returned for credit or the sales or compen-
15 sating tax otherwise imposed upon such materials which will not be so
16 incorporated in the building or other project reported and paid by such
17 contractor to the director of taxation not later than the 20th day of the
18 month following the close of the month in which it shall be determined
19 that such materials will not be used for the purpose for which such cer-
20 tificate was issued, the nonprofit zoo concerned shall be liable for tax on
21 all materials purchased for the project, and upon payment thereof it may
22 recover the same from the contractor together with reasonable attorney
23 fees. Any contractor or any agent, employee or subcontractor thereof,
24 who shall use or otherwise dispose of any materials purchased under such
25 a certificate for any purpose other than that for which such a certificate
26 is issued without the payment of the sales or compensating tax otherwise
27 imposed upon such materials, shall be guilty of a misdemeanor and, upon
28 conviction therefor, shall be subject to the penalties provided for in sub-
29 section (g) of K.S.A. 79-3615, and amendments thereto;

30 (yy) all sales of tangible personal property and services purchased by
31 a parent-teacher association or organization, and all sales of tangible per-
32 sonal property by or on behalf of such association or organization;

33 (zz) all sales of machinery and equipment purchased by over-the-air,
34 free access radio or television station which is used directly and primarily
35 for the purpose of producing a broadcast signal or is such that the failure
36 of the machinery or equipment to operate would cause broadcasting to
37 cease. For purposes of this subsection, machinery and equipment shall
38 include, but not be limited to, that required by rules and regulations of
39 the federal communications commission, and all sales of electricity which
40 are essential or necessary for the purpose of producing a broadcast signal
41 or is such that the failure of the electricity would cause broadcasting to
42 cease;

43 (aaa) all sales of tangible personal property and services purchased

1 by a religious organization which is exempt from federal income taxation
2 pursuant to section 501(c)(3) of the federal internal revenue code, and
3 used exclusively for religious purposes, and all sales of tangible personal
4 property or services purchased by a contractor for the purpose of con-
5 structing, equipping, reconstructing, maintaining, repairing, enlarging,
6 furnishing or remodeling facilities for any such organization which would
7 be exempt from taxation under the provisions of this section if purchased
8 directly by such organization. Nothing in this subsection shall be deemed
9 to exempt the purchase of any construction machinery, equipment or
10 tools used in the constructing, equipping, reconstructing, maintaining,
11 repairing, enlarging, furnishing or remodeling facilities for any such or-
12 ganization. When any such organization shall contract for the purpose of
13 constructing, equipping, reconstructing, maintaining, repairing, enlarg-
14 ing, furnishing or remodeling facilities, it shall obtain from the state and
15 furnish to the contractor an exemption certificate for the project involved,
16 and the contractor may purchase materials for incorporation in such pro-
17 ject. The contractor shall furnish the number of such certificate to all
18 suppliers from whom such purchases are made, and such suppliers shall
19 execute invoices covering the same bearing the number of such certifi-
20 cate. Upon completion of the project the contractor shall furnish to such
21 organization concerned a sworn statement, on a form to be provided by
22 the director of taxation, that all purchases so made were entitled to ex-
23 emption under this subsection. All invoices shall be held by the contractor
24 for a period of five years and shall be subject to audit by the director of
25 taxation. If any materials purchased under such a certificate are found
26 not to have been incorporated in the building or other project or not to
27 have been returned for credit or the sales or compensating tax otherwise
28 imposed upon such materials which will not be so incorporated in the
29 building or other project reported and paid by such contractor to the
30 director of taxation not later than the 20th day of the month following
31 the close of the month in which it shall be determined that such materials
32 will not be used for the purpose for which such certificate was issued,
33 such organization concerned shall be liable for tax on all materials pur-
34 chased for the project, and upon payment thereof it may recover the same
35 from the contractor together with reasonable attorney fees. Any contrac-
36 tor or any agent, employee or subcontractor thereof, who shall use or
37 otherwise dispose of any materials purchased under such a certificate for
38 any purpose other than that for which such a certificate is issued without
39 the payment of the sales or compensating tax otherwise imposed upon
40 such materials, shall be guilty of a misdemeanor and, upon conviction
41 therefor, shall be subject to the penalties provided for in subsection (g)
42 of K.S.A. 79-3615, and amendments thereto. Sales tax paid on and after
43 July 1, 1998, but prior to the effective date of this act upon the gross

1 receipts received from any sale exempted by the amendatory provisions
2 of this subsection shall be refunded. Each claim for a sales tax refund
3 shall be verified and submitted to the director of taxation upon forms
4 furnished by the director and shall be accompanied by any additional
5 documentation required by the director. The director shall review each
6 claim and shall refund that amount of sales tax paid as determined under
7 the provisions of this subsection. All refunds shall be paid from the sales
8 tax refund fund upon warrants of the director of accounts and reports
9 pursuant to vouchers approved by the director or the director's designee;

10 (bbb) all sales of food for human consumption by an organization
11 which is exempt from federal income taxation pursuant to section 501
12 (c)(3) of the federal internal revenue code of 1986, pursuant to a food
13 distribution program which offers such food at a price below cost in
14 exchange for the performance of community service by the purchaser
15 thereof;

16 (ccc) on and after July 1, 1999, all sales of tangible personal property
17 and services purchased by a primary care clinic or health center the pri-
18 mary purpose of which is to provide services to medically underserved
19 individuals and families, and which is exempt from federal income taxa-
20 tion pursuant to section 501 (c)(3) of the federal internal revenue code,
21 and all sales of tangible personal property or services purchased by a
22 contractor for the purpose of constructing, equipping, reconstructing,
23 maintaining, repairing, enlarging, furnishing or remodeling facilities for
24 any such clinic or center which would be exempt from taxation under the
25 provisions of this section if purchased directly by such clinic or center.
26 Nothing in this subsection shall be deemed to exempt the purchase of
27 any construction machinery, equipment or tools used in the constructing,
28 equipping, reconstructing, maintaining, repairing, enlarging, furnishing
29 or remodeling facilities for any such clinic or center. When any such clinic
30 or center shall contract for the purpose of constructing, equipping, re-
31 constructing, maintaining, repairing, enlarging, furnishing or remodeling
32 facilities, it shall obtain from the state and furnish to the contractor an
33 exemption certificate for the project involved, and the contractor may
34 purchase materials for incorporation in such project. The contractor shall
35 furnish the number of such certificate to all suppliers from whom such
36 purchases are made, and such suppliers shall execute invoices covering
37 the same bearing the number of such certificate. Upon completion of the
38 project the contractor shall furnish to such clinic or center concerned a
39 sworn statement, on a form to be provided by the director of taxation,
40 that all purchases so made were entitled to exemption under this subsec-
41 tion. All invoices shall be held by the contractor for a period of five years
42 and shall be subject to audit by the director of taxation. If any materials
43 purchased under such a certificate are found not to have been incorpo-

1 rated in the building or other project or not to have been returned for
2 credit or the sales or compensating tax otherwise imposed upon such
3 materials which will not be so incorporated in the building or other pro-
4 ject reported and paid by such contractor to the director of taxation not
5 later than the 20th day of the month following the close of the month in
6 which it shall be determined that such materials will not be used for the
7 purpose for which such certificate was issued, such clinic or center con-
8 cerned shall be liable for tax on all materials purchased for the project,
9 and upon payment thereof it may recover the same from the contractor
10 together with reasonable attorney fees. Any contractor or any agent, em-
11 ployee or subcontractor thereof, who shall use or otherwise dispose of
12 any materials purchased under such a certificate for any purpose other
13 than that for which such a certificate is issued without the payment of
14 the sales or compensating tax otherwise imposed upon such materials,
15 shall be guilty of a misdemeanor and, upon conviction therefor, shall be
16 subject to the penalties provided for in subsection (g) of K.S.A. 79-3615,
17 and amendments thereto;

18 (ddd) on and after January 1, 1999, and before January 1, 2000, all
19 sales of materials and services purchased by any class II or III railroad as
20 classified by the federal surface transportation board for the construction,
21 renovation, repair or replacement of class II or III railroad track and
22 facilities used directly in interstate commerce. In the event any such track
23 or facility for which materials and services were purchased sales tax ex-
24 empt is not operational for five years succeeding the allowance of such
25 exemption, the total amount of sales tax which would have been payable
26 except for the operation of this subsection shall be recouped in accord-
27 ance with rules and regulations adopted for such purpose by the secretary
28 of revenue;

29 (eee) on and after January 1, 1999, and before January 1, 2001, all
30 sales of materials and services purchased for the original construction,
31 reconstruction, repair or replacement of grain storage facilities, including
32 railroad sidings providing access thereto;

33 (fff) all sales of material handling equipment, racking systems and
34 other related machinery and equipment that is used for the handling,
35 movement or storage of tangible personal property in a warehouse or
36 distribution facility in this state; all sales of installation, repair and main-
37 tenance services performed on such machinery and equipment; and all
38 sales of repair and replacement parts for such machinery and equipment.
39 For purposes of this subsection, a warehouse or distribution facility means
40 a single, fixed location that consists of buildings or structures in a contig-
41 uous area where storage or distribution operations are conducted that are
42 separate and apart from the business' retail operations, if any, and which
43 do not otherwise qualify for exemption as occurring at a manufacturing

1 or processing plant or facility. Material handling and storage equipment
2 shall include aeration, dust control, cleaning, handling and other such
3 equipment that is used in a public grain warehouse or other commercial
4 grain storage facility, whether used for grain handling, grain storage, grain
5 refining or processing, or other grain treatment operation;

6 (ggg) all sales of tangible personal property and services purchased
7 by or on behalf of the Kansas Academy of Science which is exempt from
8 federal income taxation pursuant to section 501(c)(3) of the federal in-
9 ternal revenue code of 1986, and used solely by such academy for the
10 preparation, publication and dissemination of education materials; ~~and~~

11 (hhh) all sales of tangible personal property and services purchased
12 by or on behalf of all domestic violence shelters that are member agencies
13 of the Kansas coalition against sexual and domestic violence; *and*

14 (iii) *all sales of tangible personal property purchased by any county*
15 *law library maintained pursuant to law, and all sales of any such property*
16 *by or on behalf of any such organization for the purpose of providing*
17 *legal resources to attorneys, judges, students and the general public.*

18 Sec. 3. K.S.A. 2004 Supp. 20-3129 and 79-3606 are hereby repealed.
19 Sec. 4. This act shall take effect and be in force from and after its
20 publication in the statute book.