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**BRETT FAIRCHILD**  
113TH DISTRICT

I'm providing written-only neutral testimony for HCR 5011. You may be wondering why I'm testifying as neutral on this bill. I'll explain my reasoning for that. I would vote in favor of this Constitutional amendment as it's currently written if it reaches the house floor for a vote. I think the amendment would represent a slight improvement if it were passed. However, I believe the wording of the amendment would be confusing to voters as it's currently written, and it's also written in a way that gives more power to the legislature. We've seen from previous Constitutional amendments that most voters don't like complex amendments that give more power to the legislature. Therefore, my fear is that the majority of voters in our state would vote down this amendment as it's currently written.

Therefore, I have suggestions for how the wording of this amendment could be changed to make it simpler and to not give as much power to the legislature. For one thing, I believe that the six-year valuation average should be included within the text of the amendment, rather than giving the legislature the power to determine the number of years. This would make the amendment simpler and wouldn't give more power to the legislature. I believe this would make the amendment more popular with voters.

I would like the amendment to be changed to the following language:

"The taxable valuation of real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located, classified for property tax purposes pursuant to subclass (1) of class 1 shall be determined based on the lesser of the current year's fair market value or the average fair market value for the residential portion for the past six years. The current year will be included in the six-year rolling average. The legislature may make valuation adjustments by law for new construction improvements, changes in property use, property that is listed as escaped or omitted property, changes to the description of the land, lot, or parcel."

Explanatory statement:

"This amendment would value real property used for residential purposes provided under section 1 of article 11 of the Constitution of the State of Kansas in subclass (1) of class 1 based on the lesser of the current year's fair market value or the average fair market value of the residential portion based on a six-year rolling average. The amendment would also authorize the legislature to provide valuation adjustments by law in certain circumstances.

"A vote for this proposition would value parcels of real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located based on the lesser of the current year's fair market value or a six-year rolling average fair market value for the residential portion. The amendment would also authorize the legislature to provide valuation adjustments for new construction or improvements, changes in property use, property that is listed as escaped or omitted property, changes to the description of the land, lot, or parcel and property that lacks established valuations.

"A vote against this proposition would provide no change to the Kansas Constitution."

Brett Fairchild-State Representative-113<sup>th</sup> District

*Brett Fairchild*