

# BOARD OF TAX APPEALS

## FY 2024 – FY 2026 BUDGET SUMMARY

FIG. 1 BUDGET SUMMARY, FY 2024 – FY 2026

	Actual FY 2024	Agency FY 2025	Legislative Budget Committee FY 2025	Agency FY 2026	Legislative Budget Committee FY 2026
<b>EXPENDITURES:</b>					
<b>State Operations*</b>	<b>\$ 2,197,380</b>	<b>\$ 2,965,525</b>	<b>\$ 2,910,525</b>	<b>\$ 2,638,930</b>	<b>\$ 2,583,930</b>
Salaries and Wages	1,742,139	2,030,179	2,005,179	2,121,504	2,096,504
Contractual Services	383,664	460,093	430,093	493,265	463,265
Commodities	11,280	22,479	22,479	22,961	22,961
Capital Outlay	60,297	452,774	452,774	1,200	1,200
<b>State Aid and Assistance</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Aid to Local Units	-	-	-	-	-
Other Assistance	-	-	-	-	-
<b>Capital Budget and Debt</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Capital Improvements	-	-	-	-	-
Debt Service Principal	-	-	-	-	-
Debt Service Interest	-	-	-	-	-
<b>TOTAL</b>	<b>\$ 2,197,380</b>	<b>\$ 2,965,525</b>	<b>\$ 2,910,525</b>	<b>\$ 2,638,930</b>	<b>\$ 2,583,930</b>
<b>FINANCING:</b>					
State General Fund	\$ 1,020,986	\$ 1,443,010	\$ 1,388,010	\$ 1,535,861	\$ 1,480,861
COTA Filing Fee Fund	1,173,069	1,070,941	1,070,941	1,103,069	1,103,069
All Other Funds	3,325	451,574	451,574	-	-
<b>TOTAL</b>	<b>\$ 2,197,380</b>	<b>\$ 2,965,525</b>	<b>\$ 2,910,525</b>	<b>\$ 2,638,930</b>	<b>\$ 2,583,930</b>
<b>PERCENTAGE CHANGE:</b>					
State General Fund	6.8 %	41.3 %	(3.8) %	6.4 %	(3.6) %
All Funds	1.7 %	35.0 %	(1.9) %	(11.0) %	(2.1) %
FTE Positions	16.0	16.0	16.0	16.0	16.0

\* Note: Expenditures for debt service interest are reflected under "Capital Budget and Debt."

## AGENCY OVERVIEW

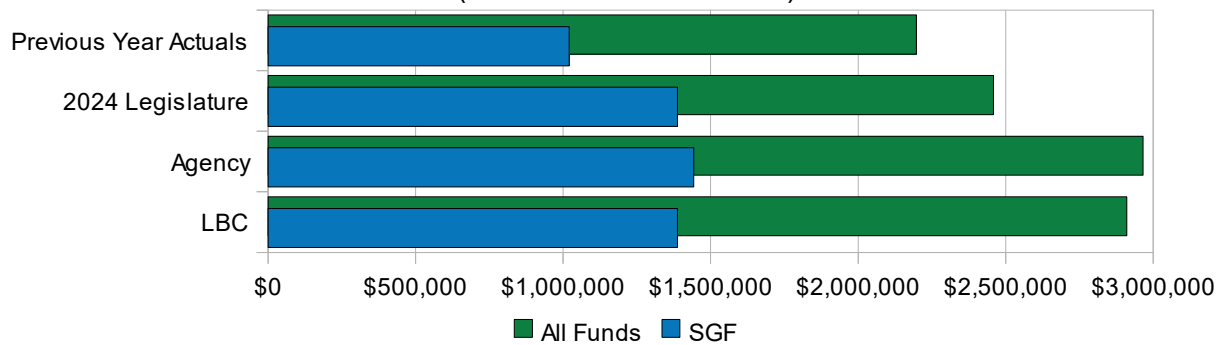
The mission of the Board of Tax Appeals (BOTA) is to resolve disputes between taxpayers and taxing authorities promptly and impartially and to help maintain public confidence in the state and local tax systems. BOTA is the highest administrative tribunal to hear cases involving ad valorem (property), income, sales, compensating use, and inheritance taxes, along with other matters involving taxation by state and local authorities. BOTA is an independent tax tribunal, meaning it is not affiliated with the Kansas Department of Revenue or any other taxing authority. BOTA's predecessor in authority was the Kansas Court of Tax Appeals (COTA).

**REGULAR DIVISION.** BOTA's regular division has broad jurisdiction to hear and decide tax matters, including property tax appeals, appeals from final determinations of the Kansas Department of Revenue, tax grievances, applications for exemption from property tax, countywide reappraisal requests, mortgage registration protests, no-fund warrant requests, and appeals from school districts with declining enrollment.

**SMALL CLAIMS AND EXPEDITED HEARINGS DIVISION.** BOTA's small claims and expedited hearings division is a convenient and informal forum for appealing the valuation of single-family residential properties and commercial properties appraised at \$3.0 million or less. This division also may hear appeals from the Kansas Department of Revenue, Division of Taxation if the amount of tax in controversy does not exceed \$15,000.

## FY 2025 ANALYSIS

FIG. 2 **BUDGET HIGHLIGHTS, FY 2025**  
(DOLLARS IN MILLIONS)



\* Note: Includes SGF reappropriations.

FIG. 3 **BUDGET COMPARISON, FY 2025**

Fund	Previous Year Actuals	2024 Legislature*	Agency	Agency Change from Previous-Year Actuals		Agency Change from Approved*	
SGF	\$ 1,020,986	\$ 1,388,010	\$ 1,443,010	\$ 422,024	41.3 %	\$ 55,000	4.0 %
All Other Funds	1,176,394	1,070,941	1,522,515	346,121	29.4	451,574	42.2
<b>TOTAL</b>	<b>\$ 2,197,380</b>	<b>\$ 2,458,951</b>	<b>\$ 2,965,525</b>	<b>\$ 768,145</b>	<b>35.0 %</b>	<b>\$ 506,574</b>	<b>20.6 %</b>

\* Note: Includes SGF reappropriations.

## BUDGET ANALYSIS

FIG. 4 **SUMMARY OF BUDGET REQUEST, FY 2025**

	Agency			Legislative Budget Committee		
	SGF	All Funds	FTE	SGF	All Funds	FTE
<b>2024 Legislature, FY 2025</b>	<b>\$ 1,388,010</b>	<b>\$ 2,458,951</b>	<b>16.0</b>	<b>\$ 1,388,010</b>	<b>\$ 2,458,951</b>	<b>16.0</b>
2024 SB 28 & HB 2551	1,355,032	2,425,973	16.0	1,355,032	2,425,973	16.0
1. SGF Reappropriation	32,978	32,978	-	32,978	32,978	-
<b>Supplemental Requests</b>	<b>\$ 55,000</b>	<b>\$ 55,000</b>	<b>-</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>
2. Small Claims Hearing Officers	30,000	30,000	-	-	-	-
3. Attorney Investment	25,000	25,000	-	-	-	-
<b>Other Changes</b>	<b>\$ -</b>	<b>\$ 451,574</b>	<b>-</b>	<b>\$ -</b>	<b>\$ 451,574</b>	<b>-</b>
4. BOTA Modernization Initiative	-	451,574	-	-	451,574	-
<b>TOTAL</b>	<b>\$ 1,443,010</b>	<b>\$ 2,965,525</b>	<b>16.0</b>	<b>\$ 1,388,010</b>	<b>\$ 2,910,525</b>	<b>16.0</b>

### 1. SGF REAPPROPRIATION

The agency carried over \$32,978 in unspent SGF moneys into FY 2025.

### 2. SUPPLEMENTAL REQUEST - SMALL CLAIMS HEARING OFFICERS

The agency's revised estimate includes adding \$30,000 SGF to transition small claims hearings from its staff attorneys to contracted hearing officers in FY 2025.

- **Agency:** Add \$30,000 SGF for small claims hearing officers in FY 2025.
- **LBC:** Delete \$30,000 SGF for small claims hearing officers in FY 2025.

### 3. SUPPLEMENTAL REQUEST - ATTORNEY INVESTMENT

The agency's revised estimate includes adding \$25,000 SGF for salary increases for the agency's general counsel and two staff attorney positions in FY 2025. The agency conducted a study and determined that the current salaries for these positions are not

comparable to other agencies.

- **Agency:** Add \$25,000 SGF for salary increases for three attorneys in FY 2025.
- **LBC:** Delete \$25,000 SGF for salary increases for three attorneys in FY 2025.

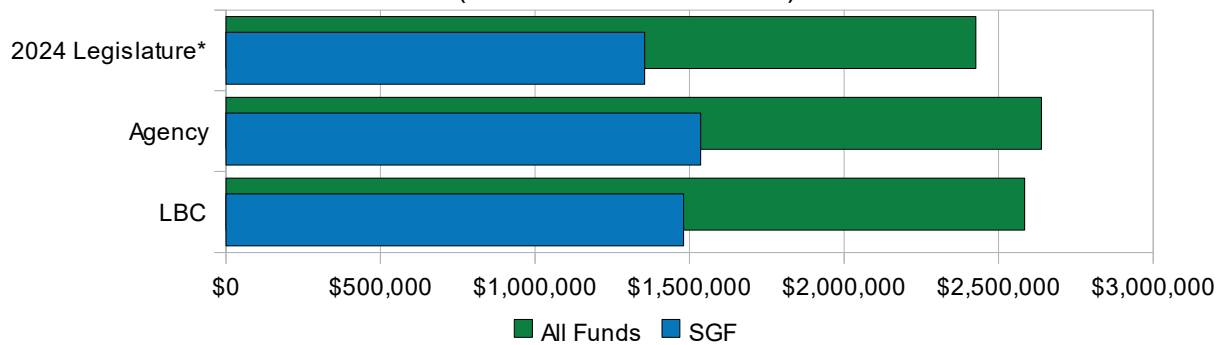
#### **4. BOTA MODERNIZATION INITIATIVE (OT)**

The agency's revised estimate includes adding \$451,574, all from federal American Rescue Plan Act (ARPA) funds, for the BOTA modernization initiative in FY 2025. The Legislature previously approved federal ARPA funds to be used for this initiative.

- **Agency:** Add \$451,574, all from federal ARPA funds, for the BOTA modernization initiative in FY 2025.
- **LBC:** No changes.

## FY 2026 ANALYSIS

FIG. 5 **BUDGET HIGHLIGHTS, FY 2026**  
(DOLLARS IN MILLIONS)



\* Note: Reflects legislative-approved expenditures for FY 2025, excluding reappropriations.

FIG. 6 **BUDGET HIGHLIGHT CHANGES, FY 2026**

Fund	Previous Year Agency	2024 Legislature*	Agency	Agency Change from Previous-Year Agency		Agency Change from Approved*	
SGF	\$ 1,443,010	\$ 1,355,032	\$ 1,535,861	\$ 92,851	6.4 %	\$ 180,829	13.3 %
All Other Funds	1,522,515	1,070,941	1,103,069	(419,446)	(27.5)	32,128	3.0
<b>TOTAL</b>	<b>\$ 2,965,525</b>	<b>\$ 2,425,973</b>	<b>\$ 2,638,930</b>	<b>\$ (326,595)</b>	<b>(11.0) %</b>	<b>\$ 212,957</b>	<b>8.8 %</b>

\* Note: Reflects legislative-approved expenditures for FY 2025, excluding reappropriations.

## BUDGET ANALYSIS

FIG. 7 **SUMMARY OF BUDGET REQUEST, FY 2026**

	Agency			Legislative Budget Committee		
	SGF	All Funds	FTE	SGF	All Funds	FTE
<b>2024 Legislature, FY 2025</b>	<b>\$ 1,355,032</b>	<b>\$ 2,425,973</b>	<b>16.0</b>	<b>\$ 1,355,032</b>	<b>\$ 2,425,973</b>	<b>16.0</b>
2024 SB 28 & HB 2551	1,355,032	2,425,973	16.0	1,355,032	2,425,973	16.0
<b>Enhancement Requests</b>	<b>\$ 55,000</b>	<b>\$ 55,000</b>	<b>-</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>
1. Small Claims Hearing Officers	30,000	30,000	-	-	-	-
2. Attorney Investment	25,000	25,000	-	-	-	-
<b>Other Changes</b>	<b>\$ 125,829</b>	<b>\$ 157,957</b>	<b>-</b>	<b>\$ 125,829</b>	<b>\$ 157,957</b>	<b>-</b>
3. Salaries and Wages	33,607	105,623	-	33,607	105,623	-
4. Contractual Services	84,022	41,402	-	84,022	41,402	-
5. Commodities	8,200	10,932	-	8,200	10,932	-
<b>TOTAL</b>	<b>\$ 1,535,861</b>	<b>\$ 2,638,930</b>	<b>16.0</b>	<b>\$ 1,480,861</b>	<b>\$ 2,583,930</b>	<b>16.0</b>

### 1. ENHANCEMENT REQUEST - SMALL CLAIMS HEARING OFFICERS

The agency request includes \$30,000 SGF to transition small claims hearings from its staff attorneys to contracted hearing officers in FY 2025.

- **Agency:** Add \$30,000 SGF for small claims hearing officers for FY 2026.
- **LBC:** Delete \$30,000 SGF for small claims hearing officers for FY 2026.

### 2. ENHANCEMENT REQUEST - ATTORNEY INVESTMENT

The agency request includes \$25,000 SGF for salary increases for the agency's general counsel and two staff attorney positions. The agency conducted a study and determined that the current salaries for these positions are not comparable to other agencies for FY 2026.

- **Agency:** Add \$25,000 SGF for salary increases for three attorneys for FY 2026.
- **LBC:** Delete \$25,000 SGF for salary increases for three attorneys for FY 2026.

### 3. SALARIES AND WAGES

The agency request includes \$105,623, including \$33,607 SGF, for increased salaries and wages expenditures for FY 2026. This is primarily attributable to the passage of 2023 SB 229, which provides for salary increases for the Chairperson of the Board, two board members, and the Chief Hearing Officer. The current annual salary of a Chief Judge is \$150,422 and will increase to \$199,974 on January 1, 2025.

- **Agency:** Add \$105,623, including \$33,607 SGF, for increased salaries and wages expenditures due to the passage of 2023 SB 229 for FY 2026.
- **LBC:** No changes.

### 4. CONTRACTUAL SERVICES

The agency request includes adding \$41,402, including \$84,022 SGF, for computer programming and staffing and recruiting services for FY 2026.

- **Agency:** Add \$41,402, including \$84,022 SGF, for computer programming and staffing and recruiting services for FY 2026.
- **LBC:** No changes.

### 5. COMMODITIES

The agency request includes adding \$10,932, including \$8,200 SGF, for office supplies, data processing supplies, and other equipment for FY 2026.

- **Agency:** Add \$10,932, including \$8,200 SGF, for office supplies, data processing supplies, and other equipment for FY 2026.
- **LBC:** No changes.

## REFERENCE TABLES

FIG. 8 **10-YEAR EXPENDITURE HISTORY, FY 2017 – FY 2026**

Fiscal Year	SGF	Change	All Funds	Change	FTE	CPI-U Change**
FY 2017	\$ 762,836	(10.1) %	\$ 1,795,249	11.8 %	17.0	0.0 %
FY 2018	782,827	2.6	1,704,454	(5.1)	17.0	0.2
FY 2019	793,868	1.4	1,740,819	2.1	16.0	0.0
FY 2020	804,395	1.3	1,783,640	2.5	15.0	0.8
FY 2021	576,235	(28.4)	1,441,833	(19.2)	16.0	2.4
FY 2022	696,328	20.8	1,710,672	18.6	16.0	9.2
FY 2023	956,163	37.3	2,160,584	26.3	16.0	5.8
FY 2024	1,020,986	6.8	2,197,380	1.7	16.0	3.0
FY 2025 Agency	1,443,010	41.3	2,965,525	35.0	16.0	2.5
FY 2026 Agency	1,535,861	6.4	2,638,930	(11.0)	16.0	2.4
10-Yr. Chg. (FY 2017– 2026)	\$ 773,025	1.0 %	\$ 843,681	0.5 %	(1.0)	33.4 %
3-Yr. Avg. (FY 2022– 2024)*	891,159		2,022,879		16.0	

\* Note: Reflects three most recent years of actuals data.

\*\* Note: Consumer Price Index – All Urban Consumers estimate for FY 2025 and FY 2026 is from the Consensus Revenue Estimating Group.

## SPECIAL REVENUE FUND OVERVIEW

The Board of Tax Appeals is required by statute to charge and collect filing fees established through its rules and regulations. The filing fee fund was established to defray all, or a portion of, the costs incurred in processing appeals and applications.

FIG. 9 COTA FILING FEE FUND RESOURCE ESTIMATE, FY 2023 – FY 2027					
	Actual FY 2023	Actual FY 2024	Agency FY 2025	Agency FY 2026	Agency FY 2027
Beginning Balance	\$ 873,089	\$ 789,602	\$ 750,142	\$ 629,201	\$ 476,132
Revenue	949,575	1,133,609	950,000	950,000	-
Transfers In	-	-	-	-	-
<b>Funds Available</b>	<b>\$ 1,822,664</b>	<b>\$ 1,923,211</b>	<b>\$ 1,700,142</b>	<b>\$ 1,579,201</b>	<b>\$ 476,132</b>
Expenditures	\$ 1,064,798	\$ 1,173,069	\$ 1,070,941	\$ 1,103,069	\$ -
Expenditures–Off-Budget	-	-	-	-	-
Transfers Out	-	-	-	-	-
<b>Ending Balance</b>	<b>\$ 757,866</b>	<b>\$ 750,142</b>	<b>\$ 629,201</b>	<b>\$ 476,132</b>	<b>\$ 476,132</b>

\* Note: This agency does not submit a budget for FY 2027.

**BOARD OF TAX APPEALS FILING FEES, FY 2025**

Action	Current Fee	
<b>Regular Division</b>		
<u>Valuation Appeals: Equalization &amp; Protests (Real and Personal Property)</u>		
<b>Real Property</b>		
Single-family residential property & farmsteads	\$	Exempt
Not-for-profit organizations valued at less than \$100,000		Exempt
Properties valued at \$250,000 or less		125
Properties valued from \$250,001 to \$1,000,000		200
Properties valued from \$1,000,001 to \$5,000,000		300
Properties valued from \$5,000,001 to \$10,000,000		400
Properties valued at \$10,000,001 or more		500
<b>Personal Property</b>		
Single-family residential mobile or manufactured home	\$	Exempt
All other personal property		150
<u>Division of Property Valuation (State-assessed Property)</u>		
Properties valued at \$250,000 or less	\$	125
Properties valued from \$250,001 to \$1,000,000		200
Properties valued from \$1,000,001 to \$5,000,000		300
Properties valued from \$5,000,001 to \$10,000,000		400
Properties valued at \$10,000,001 or more		500
<u>Division of Taxation</u>		
Homestead Property Tax & Food Sales Tax Refunds	\$	Exempt
\$1,000 or less		100
\$1,001 to \$10,000		150
\$10,001 to \$100,000		300
\$100,001 or more		500
<u>Exemption Applications</u>		
Industrial revenue bond & economic development less than \$1,000,000	\$	500
Industrial revenue bond & economic development more than \$1,000,000		1,000
Oil leases or real property exemption		400
All other personal property exemption		100
Not-for-profit valued less than \$100,000 & government entities		Exempt
<u>Grievances</u>		
Penalty abatement	\$	25
Clerical error		25
<u>Miscellaneous</u>		
IRB informational statement filings	\$	500
Mortgage registration protests		25
No-fund warrant requests		150
Reappraisal requests, complaints, and appeals by any board of county commissioners of the final ratio study for the county		2,000
Any municipality, political subdivision of the State, or school appeals		Exempt
<b>Small Claims and Expedited Hearings Division</b>		
<u>Equalization &amp; Protests</u>		
Not-for-profit organization valued at less than \$100,000	\$	Exempt
Single-family residential property, farmstead, or mobile/manufactured home		Exempt



FIG. 10

**BOARD OF TAX APPEALS FILING FEES, FY 2025**

Action	Current Fee
\$250,000 or less	100
\$250,001 to \$1,000,000	150
\$1,000,001 to \$3,000,000	200
<u>Division of Taxation</u>	
Homestead property tax & food sales tax refund	\$ Exempt
\$500 or less	Exempt
\$501 to \$10,000	50
\$10,001 to \$14,999	150