

STATE OF KANSAS

SENATE CHAMBER

MR. PRESIDENT:

I move to amend **Senate Substitute for HB 2117**, on page 60, following line 29, by inserting:

"New Sec. 43. (a) (1) Except as provided in subsection (a)(2), commencing with fiscal year 2015, in any fiscal year in which the amount of actual state general fund receipts from such fiscal year exceeds the actual state general fund receipts for the immediately preceding fiscal year by more than 2% and the actual ending state general fund balance exceeds the amount of 7.5% of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year, as determined under subsection (b) of K.S.A. 75-6702, and amendments thereto, the director of budget and the director of legislative research shall jointly certify such excess amount to the secretary of revenue. Upon receipt of such certified amount, the secretary shall estimate the individual and corporate income tax and privilege tax rate reductions to go into effect for the next tax year that would decrease by such certified amount the estimated individual and corporate income tax and privilege tax receipts during the fiscal year after the next fiscal year. Such rate reductions shall be estimated so that the revenue reductions for individual and corporate income tax receipts and privilege tax receipts will be in the same proportion as individual and corporate income tax receipts and privilege tax receipts are to the total of individual and corporate income tax receipts and privilege tax receipts. Rate reductions for individual and corporate income tax and privilege tax shall be applied to reduce the highest marginal rate applicable. Based on such determination, the secretary shall reduce individual and corporate income tax rates prescribed by K.S.A. 79-32,110, and amendments thereto, and privilege tax rates prescribed by K.S.A. 79-1107 and 79-1108, and amendments thereto.

(2) In any fiscal year in which the amount of actual state general fund receipts for such fiscal

year are less than 102% of the actual state general fund receipts from any prior fiscal year or the actual ending state general fund balance is equal to or less than the amount equal to 7.5% of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year, as determined under subsection (b) of K.S.A. 75-6702, and amendments thereto, the director of budget and the director of legislative research shall jointly certify such amount and fact to the secretary of revenue. Upon receipt of such amount and fact, the secretary shall not make any adjustment to the individual and corporate income tax and privilege tax rates.

(b) Any reduction in individual and corporate income tax and privilege tax rates prescribed by this section shall be published in the Kansas register prior to October 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

(c) The provisions of this section shall be effective on and after January 1, 2013.";

And by renumbering sections accordingly

Senator _____