

SENATE BILL No. 59

By Committee on Assessment and Taxation

1-26

1 AN ACT concerning taxation; relating to delinquent or unpaid taxes and
2 overpayment of taxes; pertaining to the rate of interest; amending
3 K.S.A. 79-2968 and repealing the existing section.
4

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

6 Section 1. K.S.A. 79-2968 is hereby amended to read as follows: 79-
7 2968. Except as otherwise specifically provided by law, whenever interest
8 is charged under any law of this state upon any delinquent or unpaid taxes
9 levied or imposed by the state of Kansas or any taxing subdivision
10 thereof, or whenever interest is allowed under any law of this state upon
11 any overpayment of taxes levied or imposed by the state of Kansas or any
12 taxing subdivision thereof, the rate thereof shall be: ~~(a) One and one-half~~
13 ~~percent per month for any period prior to January 1, 1995, 1% per month~~
14 ~~for the period commencing on January 1, 1995, and ending on December~~
15 ~~31, 1997, and 1/12 of the annual rate prescribed in subsection (b)~~
16 ~~thereafter, if computed monthly; and (b) eighteen percent per annum for~~
17 ~~any period prior to January 1, 1995, 12% per annum for the period~~
18 ~~commencing on January 1, 1995, and ending on December 31, 1997, and~~
19 ~~for any period thereafter, the underpayment rate per annum prescribed~~
20 ~~and determined under paragraph (2) of subsection (a) of section 6621,~~
21 ~~without regard to subsection (c) thereof, of the federal internal revenue~~
22 ~~code, as in effect on September 1, 1996, and which rate is in effect~~
23 ~~thereunder on July 1 of the year immediately preceding the calendar year~~
24 ~~for which the rate is being annually fixed hereunder, plus one percentage~~
25 ~~point, if computed annually. *Beginning on January 1, 2012, the rate*~~
26 ~~*shall be as provided for under this section or 10% per annum, whichever*~~
27 ~~*is greater.*~~

28 In the event the interest rate prescribed under this section cannot be
29 determined by reference to section 6621 of the federal internal revenue
30 code, as in effect on September 1, 1996, the rate at which interest shall be
31 collected on underpayments shall be the rate prescribed by K.S.A. 16-
32 204, and amendments thereto, for interest on judgments for the applicable
33 period.

34 Sec. 2. K.S.A. 79-2968 is hereby repealed.

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