

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **HB 2244**, as amended by House Committee, on page 5, following line 19, by inserting:

"New Sec. 3. (a) As used in this section:

(1) "Disaster area" means an area in which a proclamation declaring a state of disaster emergency has been issued by the governor.

(2) "Homestead" means the dwelling, or any part thereof, which is owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated.

(3) "Substantial damage" means damage of any origin sustained by a homestead as the direct result of a natural disaster, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(b) On and after January 1, 2012, a homeowner whose homestead has sustained substantial damage and is located in a disaster area may apply to the state treasurer, or the state treasurer's designee, for benefits under this section. Upon application, the homeowner shall be required to:

(1) Demonstrate the appraised value of the homestead prior to it sustaining substantial damage by submitting either the last county appraisal of such homestead or a real estate appraisal of the homestead which was conducted not more than one year from the date the homestead sustained substantial damage; and

(2) submit affidavits and written estimates from two licensed contractors showing repair costs.

(c) (1) Upon application and submission of documents required by subsection (b), the state treasurer shall authorize a transfer of funds from the state emergency fund to the county treasurer in the amount calculated pursuant to this subsection. The county treasurer shall accept payment and apply it to the tax rolls to satisfy property taxes owed on the homestead by the taxpayer.

(2) The amount of the transfer from the state general fund to the county treasurer shall be computed as follows:

Date which substantial damage occurs	Amount of property tax credited
On or after January 1, but before February 1.....	Full amount
On or after February 1, but before March 1.....	$\frac{11}{12}$
On or after March 1, but before April 1.....	$\frac{5}{6}$
On or after April 1, but before May 1.....	$\frac{3}{4}$
On or after May 1, but before June 1.....	$\frac{2}{3}$
On or after June 1, but before July 1.....	$\frac{7}{12}$
On or after July 1, but before August 1.....	$\frac{1}{2}$
On or after August 1, but before September 1.....	$\frac{5}{12}$
On or after September 1, but before October 1.....	$\frac{1}{3}$
On or after October 1, but before November 1.....	$\frac{1}{4}$
On or after November 1, but before December 1.....	$\frac{1}{6}$
On or after December 1, but before January 1.....	$\frac{1}{12}$

(d) Under no circumstances shall the total amount of benefits authorized or granted to the aggregate of all applicants under this section exceed \$5,000,000 for the fiscal year commencing on July

1, 2012 and all fiscal years thereafter.

(e) The state treasurer shall adopt all rules and regulations necessary to implement and administer the provisions of this section.

Sec. 4. K.S.A. 2012 Supp. 75-3712 is hereby amended to read as follows: 75-3712. (a) The state emergency fund is hereby continued in the state treasury for the use of the state finance council created by K.S.A. 75-3708, and amendments thereto, for the purposes and within the limitations prescribed by K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c, 75-3713d, 75-3714 and K.S.A. 2012 Supp. 75-3713e and section 2, and amendments thereto.

(b) (1) Upon certification by the director of the budget to the director of accounts and reports that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c, 75-3713d or K.S.A. 2012 Supp. 75-3713e, and amendments thereto, the director of accounts and reports shall transfer an amount equal to the insufficient amount from the state general fund to the state emergency fund. The total of all amounts transferred from the state general fund to the state emergency fund pursuant to this subsection (b)(1) during any fiscal year shall not exceed \$10,000,000, excluding all amounts transferred from the state general fund pursuant to subsection (b)(2).

(2) In addition to the provisions of subsection (b)(1), during the period commencing on the effective date of this act until January 14, 2008, notwithstanding the provisions of any other statute to the contrary:

(A) The director of the budget shall provide: (i) Notice to the state finance council that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to

finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, or K.S.A. 2012 Supp. 75-3713e, and amendments thereto, which is directly related to a severe weather-related state of disaster emergency declared by the governor pursuant to K.S.A. 48-924, and amendments thereto; and (ii) the director of the budget shall include with such notice the director's recommendations regarding a specific amount or amounts, which in the aggregate are equal to the insufficient amount, and which could be transferred to the state emergency fund for such purpose from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds; and

(B) upon approval such recommendation or any modification thereof by the state finance council, by unanimous vote of all of the members of the council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, the director of the budget shall certify to the director of accounts and reports such recommendation, including any modifications, as approved by the state finance council; and

(C) upon receipt of such certification by the director of the budget, the director of accounts and reports shall transfer the amount or amounts specified in such certification from the state general fund or any special revenue fund or funds, or any account or accounts of the state general fund or any such special revenue fund or funds, to the state emergency fund, except that the total of all amounts transferred to the state emergency fund pursuant to this subsection (b)(2) during the period commencing on the effective date of this act until January 14, 2008, shall not exceed \$25,000,000.";

And by renumbering sections accordingly;

On page 5, in line 20, after "Supp." by inserting "75-3712 and "; also in line 20, by striking "is"

and inserting "are";

On page 1, in the title, in line 1, following "watercraft;" by inserting "homesteads destroyed by natural disasters;" in line 2, after "Supp." by inserting "75-3712 and"; in line 3, by striking "section" and inserting "sections"

_____ District.