

Kansas Disaster Utilities Response Act; SB 109

SB 109 creates the Kansas Disaster Utilities Response Act.

Out-of-state businesses conducting operations within the state for disaster or emergency-related work are not considered to have established a level of presence requiring registration, licensing, or filing or remitting state or local taxes. Similarly, out-of-state employees are not considered to have established residency in the state that would require the employee or the employee's employer to file and pay state income taxes. However, out-of-state businesses and employees are required to pay transaction taxes and fees on purchases for use or consumption in the state during the disaster response period, unless otherwise exempted.

Out-of-state businesses and employees that remain in the state after the disaster response period are subject to the state's normal standards for residency or doing business in the state and are responsible for tax requirements or obligations and registration, licensing, or filing requirements.

Upon request of the Kansas Department of Revenue (KDOR), the out-of-state business or its affiliate that enters the state is required to provide a written statement that the business is in the state for disaster or emergency-related purposes. An annual record of all declared state disasters and emergencies is to be maintained by the KDOR, and the agency is authorized to promulgate any necessary rules and regulations to implement the Act.