

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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ADAM W. SMITH
120TH DISTRICT

Chairman Johnson and members of the House Taxation Committee,

Thank you for the opportunity to testify as a proponent for House Bill 2576 on behalf of my constituents and all Kansas property owners.

I represent six counties in northwest Kansas, and this past December we had a situation where some property owners had not received their tax statements in adequate time to submit their payment without incurring statutory penalties and interest on the amount due.

I have included a copy of a local newspaper article that details the events that happened in Cheyenne County that led to multiple constituents contacting me requesting a change.

HB 2576 increases the minimum window of time between when a property tax statement is required to be sent and when it is due. Currently, that minimum window is only 5 calendar days. This bill proposes moving the mailing deadline back 5 additional calendar days, which extends that minimum window to 10 calendar days. This will allow more time for statements to be delivered by the U. S. Postal Service and for the property owners, especially out-of-area owners, adequate time to receive and submit their property taxes.

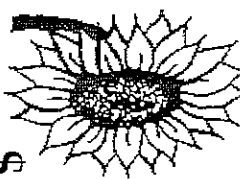
Five days isn't very much, so why isn't this more of a problem? A vast majority of county treasurers have their statements printed and mailed well in advance of the deadline.

By moving this date ahead, my intent is to put this deadline on the radar earlier for county treasurers. If extenuating circumstances are encountered that could complicate getting tax statements mailed on time, hopefully the taxpayers will not have to carry the financial burden of the interest and penalties from such circumstances.

Thank you for your time and thoughtful consideration,

A handwritten signature in black ink that reads "Adam Smith". The signature is fluid and cursive, with a large initial "A" and "S".

Representative Adam Smith



\$1.25

8 Pages

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The Spirit of Frimicis & Bird City Times

Citizens voice concerns over late tax statements

By Amanda Moberly

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The delay of tax statements being mailed was a hot topic at the Cheyenne County Commissioner meeting held on Monday, Dec. 16. Most Cheyenne County citizens are receiving their tax statements this week, and the taxes are due this Friday, Dec. 20. With residents receiving a bill that is due in less than a week, many people have voiced anger and frustration with the Treasurer's Office.

Although many people have talked about the issue, only one concerned citizen came to discuss the untimeliness of tax statements. Kody Krien said that although taxes are due on Friday, the Dec. 20, he still had not received his tax statement as of that morning.

Although Mr. Krien was the only citizen that came to the meeting, the commissioners all said they had multiple people coming to them voicing frustration and concern. With all of the phone calls received, County Clerk Scott Houtman was asked to post a notice on Facebook, asking anyone who has been voicing their frustration to come to the meeting held Monday morning. However, only Mr. Krien came.

Clerk Houtman clarified with the commissioners that the Treasurer's Office has had the information needed get the tax statements out since Nov. 8.

"It seems a common courtesy would be to have them out earlier," Mr. Krien told the commissioners. While he didn't want to compare the county to others, he said that he receives tax statements from Sherman County as well, and almost always gets them right after Thanksgiving. "I don't know what you guys can do

Statement from Treasurer Delores Jenik

I want to apologize for the lateness of the tax statements. Many factors lead to this, once received in my office, such as software updates, complication of uploading a state file, and completion of work in a program that didn't get completed earlier this year by another office. Then once these were all resolved I had problems with my printers getting them to print.

I finally completed printing them on the 23rd, left that evening to Denver for a surgery which took me out of work for a week. My deputy also requested the week of Thanksgiving off to further her move to St. Francis, and plans were already set, so this left Melva to man

the office for those three days, which she was busy with customers and unable to work on statements very much.

When I returned from my surgery my deputy resigned and went to another job, so left us short of staff. So having time to work on statements was limited with us both busy at the counter and managing the phones and emails, which were flooding in.

I had a wonderful lady come in and ask to help with the statements. Julie Whittman, I cannot thank you enough for your help! You are appreciated more than you know!

If you have called and not had your call answered, it is NOT because we explained. But telling three in an open meeting has some weight to it. One commissioner can't do anything.

I would appreciate you guys exploring any avenue, Mr. Krien said. If any business was run this way, they wouldn't be in business long.

Commissioner Roger Faulkender said he is upset as well. While looking into it today, he was told that it is state statute that they have until the 15th to get tax statements out. So he is unsure what can be done, since that is the state statute.

County Attorney Leslie Beims said she talked to the Attorney General's Office in regards to the issue. The state statute does say that the tax statements must be mailed out by Dec. 15. However as a common courtesy, that is too short of a period of time to get that out, in the mail,

are not answering our phones, and it is because we are either on another line or helping a customer. We have answered as many as possible and are still answering them. Some were answered before we got to their message due to call backs, but if you are one that has had the bad luck of timing and have not had your call answered or replied to I apologize, but we are working at it,

but now are swamped with receiving tax dollars. The policy of accepting the postmark date is still in effect. There is a drop off box right outside the door, and people can drop off taxes there without having to wait in line if they would like.

and paid, she said. That is why most all the counties get them out earlier.

If there is an issue in regards to the deadline, get a hold of your legislature and let them know this needs to be changed, the Attorney General's Office told Mrs. Beims. Attorney Beims said she was frustrated with the information she received.

One of the biggest questions I received was what if we don't get it in time, and what if it is late, Commissioner Rieger said. Unfortunately the commissioners do not have the power to waive late fees, he said.

According to the state statute, if they are not paid by Dec. 20, there are penalties and interest and those cannot be waived. If they are waived, it is a crime, the County Attorney said.

Attorney Beims said her concern is the citizens, and being able to be in compliance so there aren't late fees. Because like Mr. Krien is saying, if someone is gone, and they don't get it until after the fact, then what? And with the mail having their own issues, that is it's own problem, she said.

Commissioner Rieger said the individual he talked to lived out of town, and so he can see the concern.

Mr. Krien said he would be happy to call people, if they could tell him who to call.

Rick Billinger and Adam Smith would be the first people to talk to, Commissioner Rieger said. Both are very receptive.

The commissioners agreed that they would support change in the legislature. They also discussed the many people that each of them have heard from.

Commissioner Faulkender said he doesn't want to appear unsympathetic. However, as far as her doing anything wrong legally or from the State's point of view, she didn't. It might not have been courteous, but it wasn't wrong by law, he said.

If the Treasurer's Office waived the fee, the Treasurer would be charged with a crime, Attorney Beims said. According to the Attorney General's Office, it is the landowners responsibility to know when they are due and get them paid.

It was then clarified that the Treasurer's Office received all the information from the County Clerk's Office as of Nov. 8. Therefore, if a person wanted to walk into the Treasurer's Office at the beginning of December, they could have paid their taxes at that time. Attorney Beims said.