

## HOUSE BILL No. 2436

By Representative Rhiley

1-10

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1 AN ACT concerning taxation; relating to unpaid and overpayment of  
2 taxes; providing for the rate of interest; amending K.S.A. 79-2968 and  
3 repealing the existing section.  
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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 thereof,  
10 or whenever interest is allowed under any law of this state upon any  
11 overpayment of taxes levied or imposed by the state of Kansas or any  
12 taxing subdivision thereof, the rate thereof shall be ~~the underpayment rate~~  
13 ~~per annum prescribed and determined under paragraph (2) of subsection~~  
14 ~~(a) of section 6621, without regard to subsection (e) thereof, of the federal~~  
15 ~~internal revenue code, as in effect on September 1, 1996, and which rate is~~  
16 ~~in effect thereunder on July 1 of the year immediately preceding the~~  
17 ~~calendar year for which the rate is being annually fixed hereunder, plus~~  
18 ~~one percentage point, if computed annually 1% per annum. Beginning on~~  
19 ~~January 1, 2012 2018, the rate for property tax delinquencies or~~  
20 ~~underpayments of \$10,000 or more shall be as provided for under this~~  
21 ~~section or 10% per annum, whichever is greater 1% per annum.~~

22 ~~In the event the interest rate prescribed under this section cannot be~~  
23 ~~determined by reference to section 6621 of the federal internal revenue~~  
24 ~~code, as in effect on September 1, 1996, the rate at which interest shall be~~  
25 ~~collected on underpayments shall be the rate prescribed by K.S.A. 16-204,~~  
26 ~~and amendments thereto, for interest on judgments for the applicable~~  
27 ~~period.~~

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 K.S.A. 79-2968 is hereby repealed.

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