

HOUSE BILL No. 2506

By Representative Rhiley

1-20

1 AN ACT concerning property taxation; relating to exemptions; including
2 certain uses of recreational off-highway vehicles as farm machinery
3 and equipment; amending K.S.A. 79-201j and repealing the existing
4 section.

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

7 Section 1. K.S.A. 79-201j is hereby amended to read as follows: 79-
8 201j. The following described property, to the extent specified by this
9 section, shall be exempt from all property or ad valorem taxes levied under
10 the laws of the state of Kansas:

11 (a) All farm machinery and equipment.

12 (1) (A) The term "farm machinery and equipment" means that
13 personal property actually and regularly used in any farming or ranching
14 operation.

15 (B) The term "farm machinery and equipment" ~~shall include~~ *includes*:

16 (1)(i) Machinery and equipment comprising a natural gas distribution
17 system ~~which that~~ is owned and operated by a nonprofit public utility
18 described by K.S.A. 66-104c, and amendments thereto, and ~~which that~~ is
19 operated predominantly for the purpose of providing fuel for the irrigation
20 of land devoted to agricultural use;

21 (2)(ii) any bed, body or box that is attached to a motor vehicle and is
22 actually and regularly used in any farming or ranching operation, except
23 for a bed, body or box that is attached to the motor vehicle by the motor
24 vehicle manufacturer; and

25 (3)(iii) any greenhouse ~~which that~~ is not permanently affixed to real
26 estate and which is used for a farming or ranching operation.

27 (C) The term "farming or ranching operation" ~~shall include~~ *includes*
28 the operation of a feedlot, the performing of farm or ranch work for hire
29 and the planting, cultivating and harvesting of nursery or greenhouse
30 products, or both, for sale or resale.

31 (2) The term "farm machinery and equipment" ~~shall~~ *does* not include
32 any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole
33 trailer, other than a farm trailer *or recreational off-highway vehicle*, as the
34 terms are defined by K.S.A. 8-126, and amendments thereto.

35 ~~The provisions of this subsection shall apply to all taxable years~~
36 ~~commencing after December 31, 2007.~~

1 (b)(1) All aquaculture machinery and equipment.

2 (1) (A) The term "aquaculture machinery and equipment" means that
3 personal property actually and regularly used in any aquaculture operation.

4 (B) The term "aquaculture operation" ~~shall include~~ *includes* the
5 feeding out of aquatic plants and animals; breeding, growing or rearing
6 aquatic plants and animals; and selling or transporting aquatic plants and
7 animals.

8 (2) The term "aquaculture machinery and equipment" ~~shall~~ *does* not
9 include any passenger vehicle, truck, truck tractor, trailer, semitrailer or
10 pole trailer, *other than a recreational off-highway vehicle, as the terms*
11 *are defined by K.S.A. 8-126, and amendments thereto.*

12 (2)(c) All Christmas tree machinery and equipment.

13 (1) (A) The term "Christmas tree machinery and equipment" means
14 that personal property actually and regularly used in any Christmas tree
15 operation.

16 (B) The term "Christmas tree operation" ~~shall include~~ *includes* the
17 planting, cultivating and harvesting of Christmas trees; and selling or
18 transporting Christmas trees.

19 (2) The term "Christmas tree machinery and equipment" ~~shall~~ *does*
20 not include any passenger vehicle, truck, truck tractor, trailer, semitrailer
21 or pole trailer, *other than a recreational off-highway vehicle, as the terms*
22 *are defined by K.S.A. 8-126, and amendments thereto.*

23 ~~The provisions of this subsection shall apply to all taxable years~~
24 ~~commencing after December 31, 1992.~~

25 Sec. 2. K.S.A. 79-201j is hereby repealed.

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