

## HOUSE BILL No. 2609

By Committee on Taxation

Requested by Mike Morely on behalf of Midwest Energy, Inc.

1-25

1 AN ACT concerning property tax; relating to exemptions; extending the  
2 property tax exemption for pollution control devices and peak load  
3 plants of independent power producers and certain electric public  
4 utility property; amending K.S.A. 79-257 and 79-258 and repealing the  
5 existing sections.  
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 79-257 is hereby amended to read as follows: 79-  
9 257. The following described property, to the extent herein specified, shall  
10 be exempt from all property or ad valorem taxes levied under the laws of  
11 the state of Kansas:

12 (a) All electric generation facilities described in ~~subsection (c) of~~  
13 K.S.A. 66-104(e), and amendments thereto.

14 (b) The provisions of subsection (a) shall apply:

15 (1) Except as provided in paragraph (2), from and after  
16 commencement of construction of such property and for the 12 taxable  
17 years immediately following the taxable year in which construction of  
18 such property is completed; or

19 (2) for peak load plants, from and after commencement of  
20 construction of such property and for the ~~six~~ 12 taxable years immediately  
21 following the taxable year in which construction of such property is  
22 completed.

23 (c) All pollution control devices purchased for or constructed or  
24 installed at electric generation facilities described in ~~subsection (c) of~~  
25 K.S.A. 66-104(e), and amendments thereto.

26 (d) The provisions of subsection (c) shall apply:

27 (1) Except as provided in paragraph (2), from and after purchase or  
28 commencement of construction or installation of such property and for the  
29 12 taxable years immediately following the taxable year in which such  
30 property is purchased or construction or installation of such property is  
31 completed; or

32 (2) for a peak load plant, from and after purchase or commencement  
33 of construction or installation of such property and for the ~~six~~ 12 taxable  
34 years immediately following the taxable year in which such property is  
35 purchased or construction or installation of such property is completed.

1 (e) ~~The provisions of amendments made to this section by this act~~  
2 shall apply to all taxable years commencing after December 31, ~~2000~~  
3 ~~2024~~.

4 Sec. 2. K.S.A. 79-258 is hereby amended to read as follows: 79-258.  
5 The following described property, to the extent herein specified, shall be  
6 exempt from all property taxes levied under the laws of the state of  
7 Kansas:

8 (a) All electric generation facilities and additions to electric  
9 generation facilities described in ~~subsection (b)(2)(C) of K.S.A. 66-128(b)~~  
10 ~~(2)(C)~~, and amendments thereto.

11 (b) The provisions of subsection (a) shall apply:

12 (1) Except as provided in paragraph (2), from and after  
13 commencement of construction of such property and for the 10 taxable  
14 years immediately following the taxable year in which construction of  
15 such property is completed; or

16 (2) for a peak load plant, from and after commencement of  
17 construction of such peak load plant and for the ~~four~~ 10 taxable years  
18 immediately following the taxable year in which construction of such  
19 property is completed.

20 (c) All pollution control devices purchased for or constructed or  
21 installed at electric generation facilities described in ~~subsection (b)(2)(C)~~  
22 ~~of K.S.A. 66-128(b)(2)(C)~~, and amendments thereto.

23 (d) The provisions of subsection (c) shall apply:

24 (1) Except as provided in paragraph (2), from and after purchase or  
25 commencement of construction or installation of such property and for the  
26 10 taxable years immediately following the taxable year in which such  
27 property is purchased or construction or installation of such property is  
28 completed; or

29 (2) for a peak load plant, from and after purchase or commencement  
30 of construction or installation of such property and for the ~~four~~ 10 taxable  
31 years immediately following the taxable year in which such property is  
32 purchased or construction or installation of such property is completed.

33 (e) As used in this section, "peak load plant" means an electric  
34 generation facility used during maximum load periods.

35 (f) ~~The provisions of amendments made to this section by this act~~  
36 shall apply to all taxable years commencing after December 31, ~~2000~~  
37 ~~2024~~.

38 Sec. 3. K.S.A. 79-257 and 79-258 are hereby repealed.

39 Sec. 4. This act shall take effect and be in force from and after its  
40 publication in the statute book.