

SENATE BILL No. 201

By Senator Schmidt

2-5

1 AN ACT concerning property taxation; relating to exemptions; providing
2 for a property tax exemption for homestead property of certain veterans
3 and former law enforcement officers with service-connected
4 disabilities.

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

7 Section 1. (a) All homestead property owned and used as a qualified
8 residence by a veteran or former law enforcement officer with a disability
9 or a surviving spouse thereof, to the extent herein specified, shall be and is
10 exempt from property or ad valorem taxes levied under the laws of the
11 state of Kansas, as follows:

12 (1) If the veteran has a service-connected disability of 30% or more
13 but less than 50%, as certified by the United States department of veterans
14 affairs, then the extent of the exemption is \$2,500 of its assessed valuation;

15 (2) if the veteran has a service-connected disability of 50% or more
16 but less than 60%, as certified by the United States department of veterans
17 affairs, then the extent of the exemption is \$5,000 of its assessed valuation;

18 (3) if the veteran has a service-connected disability of 60% or more,
19 as certified by the United States department of veterans affairs, then the
20 property is exempt from taxation;

21 (4) if the taxpayer is the surviving spouse of a veteran whose death
22 was determined to be service-connected and who is certified by the United
23 States department of veterans affairs as a recipient of dependency and
24 indemnity compensation under federal law, then the property is exempt
25 from taxation;

26 (5) if the former law enforcement officer has a service-connected
27 disability of 30% or more but less than 50%, then the extent of the
28 exemption is \$2,500 of its assessed valuation;

29 (6) if the former law enforcement officer has a service-connected
30 disability of 50% or more but less than 60%, then the extent of the
31 exemption is \$5,000 of its assessed valuation;

32 (7) if the former law enforcement officer has a service-connected
33 disability of 60% or more, then the property is exempt from taxation; and

34 (8) if the taxpayer is the surviving spouse of a former law
35 enforcement officer whose death was service-connected and in the line of
36 duty, then the property is exempt from taxation.

1 (b) If a homestead exemption is granted under this section and the
2 person awarded the exemption subsequently becomes a resident of an
3 adult care home as defined by K.S.A. 39-923, and amendments thereto, or
4 a facility operated by the United States department of veterans affairs, then
5 the exemption shall continue:

6 (1) So long as the residence continues to be occupied by the
7 qualifying person's spouse; or

8 (2) if the residence remains unoccupied but is still owned by the
9 person who qualified for the homestead exemption.

10 (c) The tax exemption under this section carries over to the benefit of
11 the veteran's or former law enforcement officer's surviving spouse as long
12 as the spouse holds the legal or beneficial title to the homestead,
13 permanently resides thereon and does not remarry. If the surviving spouse
14 sells the property, an exemption not to exceed the amount granted from the
15 most recent ad valorem tax roll may be transferred to the new homestead
16 of such surviving spouse as long as it is used as such surviving spouse's
17 primary residence and such surviving spouse does not remarry.

18 (d) Nothing in this section shall require the veteran or former law
19 enforcement officer to have qualified for or obtained the exemption before
20 death if the veteran or former law enforcement officer was killed in the
21 line of duty.

22 (e) (1) The initial exemption request shall be made pursuant to K.S.A.
23 79-213, and amendments thereto. The owner or owners of all property that
24 is exempt, or partially exempt, pursuant to this section shall, in each year
25 after approval thereof by the state board of tax appeals, claim such
26 exemption on or before March 1 of each year in which such exemption is
27 claimed in the manner provided by K.S.A. 79-210, and amendments
28 thereto, except that if a veteran has a combined service-connected
29 disability rating of 100% and is deemed to be permanently and totally
30 disabled, as certified by the United States department of veterans affairs,
31 or a former law enforcement officer has a combined service-connected
32 disability rating of 100% and is deemed to be permanently and totally
33 disabled, the taxpayer who has been granted an exemption under this
34 section shall no longer be required to claim the exemption on an annual
35 basis, and the exemption shall be in effect for as long as the exemption
36 would otherwise be permitted pursuant to law.

37 (2) If the person qualifying for the exemption does not occupy the
38 qualified residence as of January 1 of the taxable year, the exemption
39 granted under this section shall be prorated on a monthly basis. The
40 prorated exemption shall apply beginning with the first complete month in
41 which the person occupies the qualified residence.

42 (f) For purposes of this section:

43 (1) "Homestead" means the same as defined in K.S.A. 79-4502, and

1 amendments thereto.

2 (2) "Law enforcement officer" means a person who by virtue of office
3 or public employment is vested by law with a duty to maintain public
4 order or to make arrests for violation of the laws of the state of Kansas or
5 ordinances of any municipality thereof or with a duty to maintain or assert
6 custody or supervision over persons accused or convicted of crime, and
7 includes wardens, superintendents, directors, security personnel, officers
8 and employees of adult and juvenile correctional institutions, jails or other
9 institutions or facilities for the detention of persons accused or convicted
10 of crime, while acting within the scope of their authority.

11 (3) "Qualified residence" means real or personal property, excluding
12 any portion of that property that is used for commercial purposes, with an
13 appraised value of less than \$250,000 that is the primary residence of a
14 veteran or former law enforcement officer with a disability. Property
15 rented for more than six months is presumed to be used for commercial
16 purposes.

17 (4) "Surviving spouse" means:

18 (A) The surviving spouse of a veteran or former law enforcement
19 officer who obtained the exemption under this section prior to the veteran's
20 or former law enforcement officer's death;

21 (B) the surviving spouse of a veteran or former law enforcement
22 officer who was killed in the line of duty at any time prior to the expiration
23 of the application period in effect for the exemption for the taxable year
24 for which the exemption is sought;

25 (C) the surviving spouse of a veteran or former law enforcement
26 officer who did not obtain an exemption under this section before death,
27 but who would have qualified for the exemption under this section in the
28 taxable year for which the exemption is sought if the veteran or former law
29 enforcement officer had survived, and whose surviving spouse has been a
30 resident of Kansas from the time of the veteran's death through the taxable
31 year for which the exemption is sought; and

32 (D) the surviving spouse of a veteran whose death was determined to
33 be service-connected, but who would not otherwise qualify under
34 subparagraph (A), (B) or (C), if such surviving spouse:

35 (i) Is certified by the United States department of veterans affairs as a
36 recipient of dependency and indemnity compensation under federal law at
37 any time prior to the expiration of the application period in effect for the
38 exemption for the taxable year for which the exemption is sought; and

39 (ii) remains eligible for that dependency and indemnity compensation
40 as of January 1 of the taxable year for which the exemption is sought.

41 (5) "Veteran" means a Kansas resident who has served as a member
42 of the United States armed forces on active duty or state active duty, a
43 member of the Kansas national guard or a member of the United States

1 reserve forces and who has received an honorable discharge.

2 (g) The provisions of this section shall apply to all taxable years
3 commencing after December 31, 2025.

4 Sec. 2. This act shall take effect and be in force from and after its
5 publication in the statute book.