



INDEPENDENCE
INCLUSION
INNOVATION

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TO: Representative Adam Smith, Chair, and
Members of the House Taxation Committee

FR: Matt Fletcher, Executive Director, InterHab

RE: HB 2104

Chairman Smith, and members of the committee, thank you for the opportunity to share InterHab's support for amendments to KSA 79-3606 as embodied in HB 2104. The members of InterHab provide services to persons with intellectual and developmental disabilities (IDD) across Kansas. As such, they deliver a critical and necessary array of supports within our communities. Many of our members have been in operation for more than half a century and have established significant infrastructure that is utilized in serving this vulnerable population.

Due to the need to provide supports on a 24/7 basis for a significant number of the persons they serve, many of our members have invested in developing physical spaces for the purpose of assisting these individuals to live productive lives in the community. These spaces reflect the needs of persons served. It can be extremely challenging to fund the development of such spaces and assistance, such as the State's project exemption certificate for sales tax exemption, often is critical to the completion of development.

One of InterHab's member organizations is currently engaged in such an effort and has been denied a project exemption certificate because of the current composition of KSA 79-3606. The statute's existing language creates an obstacle to the granting of a certificate if any portion of the project will be utilized for residential purposes. We believe that the statute was originally developed without regard to its applicability to IDD service providers who might otherwise qualify for certificates as an "educational institution".

HB 2104 seeks to clarify this prohibition in a manner we believe is reflective of the statute's original focus on more traditional types of educational institutions. The amended language contained within HB 2104 would provide relief to our member organization that was previously denied a project exemption certificate and would enable the completion of an important project without significant additional cost due to the current restrictions within KSA 79-3606.

We respectfully request that this committee act favorably on HB 2104 and thank its members in advance for their thoughtful consideration of this important matter.