

As Amended by House Committee

Session of 2021

SENATE BILL No. 71

By Committee on Assessment and Taxation

1-25

1 AN ACT concerning taxation; relating to income and privilege tax; credits;  
2 establishing an Eisenhower foundation contribution credit **and the**  
3 **friends of cedar crest association contribution credit; extending the**  
4 **time period and expanding eligibility for the single city port**  
5 **authority credit; amending K.S.A. 79-32,212 and repealing the**  
6 **existing section.**

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

9 **New Section 1.** (a) For taxable years commencing after December 31,  
10 2020, and before January 1, 2026, there shall be allowed a credit against  
11 the tax imposed by the Kansas income tax act and the privilege tax  
12 pursuant to K.S.A. 79-1106 et seq., and amendments thereto, in an amount  
13 equal to 50% of the total amount contributed during the taxable year by a  
14 taxpayer subject to income tax pursuant to K.S.A. 79-32,110(a) or (c), and  
15 amendments thereto, or subject to the privilege tax pursuant to K.S.A. 79-  
16 1107 and 79-1108, and amendments thereto, to the Eisenhower foundation.

17 (b) The amount of such credit awarded to a taxpayer in a taxable year  
18 pursuant to this section shall not exceed:

19 (1) \$25,000 for any taxpayer subject to the income tax on resident  
20 individuals imposed pursuant to K.S.A. 79-32,110(a), and amendments  
21 thereto; or

22 (2) \$50,000 for any taxpayer subject to the income tax on  
23 corporations imposed pursuant to K.S.A. 79-32,110(c), and amendments  
24 thereto, or the privilege tax on financial institutions pursuant to K.S.A. 79-  
25 1107 and 79-1108, and amendments thereto.

26 (c) The aggregate amount of credits claimed pursuant to this section  
27 shall not exceed \$350,000 for any fiscal year.

28 (d) The credit allowed by this section shall not exceed the amount of  
29 tax imposed under the Kansas income tax act or the privilege tax reduced  
30 by the sum of any other credits allowable pursuant to law. Such credit shall  
31 be deducted from the taxpayer's income or privilege tax liability for the  
32 taxable year in which the contributions are made by the taxpayer. The  
33 taxpayer shall not be allowed to carry over any amount of such credit  
34 exceeding the taxpayer's income or privilege tax liability.

35 **New Sec. 2.** (a) For taxable years commencing after December 31,  
36 2020, and before January 1, 2026, there shall be allowed a credit

1 against the tax imposed by the Kansas income tax act and the  
2 privilege tax pursuant to K.S.A. 79-1106 et seq., and amendments  
3 thereto, in an amount equal to 50% of the total amount contributed  
4 during the taxable year by a taxpayer subject to income tax pursuant  
5 to K.S.A. 79-32,110(a) or (c), and amendments thereto, or subject to  
6 the privilege tax pursuant to K.S.A. 79-1107 and 79-1108, and  
7 amendments thereto, to the friends of cedar crest association.

8 (b) The amount of such credit awarded to a taxpayer in a taxable  
9 year pursuant to this section shall not exceed:

10 (1) \$25,000 for any taxpayer subject to the income tax on resident  
11 individuals imposed pursuant to K.S.A. 79-32,110(a), and amendments  
12 thereto; or

13 (2) \$50,000 for any taxpayer subject to the income tax on  
14 corporations imposed pursuant to K.S.A. 79-32,110(c), and  
15 amendments thereto, or the privilege tax on financial institutions  
16 pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto.

17 (c) The aggregate amount of credits claimed pursuant to this  
18 section shall not exceed \$350,000 for any fiscal year.

19 (d) The credit allowed by this section shall not exceed the amount  
20 of tax imposed under the Kansas income tax act or the privilege tax  
21 reduced by the sum of any other credits allowable pursuant to law.  
22 Such credit shall be deducted from the taxpayer's income or privilege  
23 tax liability for the taxable year in which the contributions are made  
24 by the taxpayer. The taxpayer shall not be allowed to carry forward  
25 any amount of such credit exceeding the taxpayer's income or  
26 privilege tax liability.

27 **Sec. 3. K.S.A. 79-32,212 is hereby amended to read as follows: 79-**  
28 **32,212. (a) For taxable years 2002 through ~~2021~~ 2024, there shall be**  
29 **allowed as a credit against the tax liability of a taxpayer imposed**  
30 **under the Kansas income tax act, an amount equal to 100% of the**  
31 **amount attributable to the retirement of indebtedness authorized by a**  
32 **single city port authority established before January 1, 2002. In no**  
33 **event shall the total amount of the credits allowed under this section**  
34 **exceed \$500,000 for any one fiscal year.**

35 (b) Upon certification by the secretary of revenue of the amount  
36 of any such credit, the director of accounts and reports shall issue to  
37 such taxpayer a warrant for such amount which shall be deemed to be  
38 a capital contribution.

39 (c) ~~For tax-year years 2013 and all tax years thereafter~~ *through 2021,*  
40 *the income tax credit provided by this section shall only be available to*  
41 *taxpayers subject to the income tax on corporations imposed pursuant*  
42 *to ~~subsection (e) of~~ K.S.A. 79-32,110(c), and amendments thereto, and*  
43 *shall be applied only against such taxpayer's corporate income tax*

1 **liability.**

2 *(d) For tax years 2022 through 2024, the income tax credit provided*  
3 *by this section shall be available to all taxpayers subject to the income tax*  
4 *imposed pursuant to K.S.A. 79-32,110, and amendments thereto, and shall*  
5 *be applied only against such taxpayer's income tax liability.*

6 **Sec. 4. K.S.A. 79-32,212 is hereby repealed.**

7 ~~Sec. 5.~~ **5.** This act shall take effect and be in force from and after its  
8 publication in the statute book.