

HOUSE BILL No. 2654

By Representative Hodge

2-7

1 AN ACT concerning income tax; relating to credits; expenses made by
2 colleges for health or education facilities.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) For tax years 2018, 2019 and 2020, there shall be
6 allowed a credit against the tax imposed by the Kansas income tax act in
7 an amount equal to 20% of the amount expended by a member institution
8 of the Kansas collegiate athletic conference to construct a health or
9 education facility. If the amount of the credit exceeds the taxpayer's
10 income tax liability for such taxable year, the amount thereof that exceeds
11 such tax liability may be carried over for deduction from the taxpayer's
12 income tax liability in the next succeeding taxable year or years until the
13 total amount of tax credit has been deducted from tax liability.

14 (b) Any person, hereinafter designated the assignor, may sell, assign,
15 convey or otherwise transfer tax credits allowed and earned pursuant to
16 subsection (a). The taxpayer acquiring credits, hereinafter designated the
17 assignee, may use the amount of the acquired credits to offset up to 100%
18 of its income, privilege or premiums tax liability for the taxable year. The
19 assignor shall enter into a written agreement with the assignee establishing
20 the terms and conditions of the agreement and shall perfect such transfer
21 by notifying the director of taxation within 90 calendar days following the
22 effective date of the transfer and shall provide any information as may be
23 required by the director to administer and carry out the provisions of this
24 section. The amount received by the assignor of such tax credit shall be
25 taxable as income of the assignor, and the excess of the value of such
26 credit over the amount paid by the assignee for such credit shall be taxable
27 as income of the assignee.

28 (c) The secretary of revenue may adopt rules and regulations
29 necessary to administer the provisions of this section.

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