

2023 Kansas Statutes

74-50,226. Definitions. As used in K.S.A. 2023 Supp. 74-50,226 and 74-50,227, and amendments thereto:

- (a) "Administering agency" means the state agency or department charged with administering a particular economic development incentive program, as set forth by the program's enacting statute or, where no department or agency is set forth, the department of revenue.
- (b) "Economic development incentive program" means:
- (1) Any economic development incentive program administered wholly or in part by the secretary of commerce;
 - (2) any tax credit program, except for social and domestic tax credits, regardless of the administering agency;
 - (3) property that has been exempted from ad valorem taxation under the provisions of section 13 of article 11 of the constitution of the state of Kansas;
 - (4) property that has been purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 through 12-1749a, and amendments thereto, that is exempt from ad valorem taxation under K.S.A. 79-201a Second, and amendments thereto; and
 - (5) any economic development fund, including, but not limited to, the job creation program fund established by K.S.A. 74-50,224, and amendments thereto, and the economic development initiatives fund, established by K.S.A. 79-4804, and amendments thereto.
- (c) "Enterprise" means a corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust or other entity engaged in business.
- (d) "Recipient" means the enterprise that is the original applicant for and that receives proceeds from an economic development incentive program directly from the administering agency. "Recipient" includes an enterprise that is no longer solvent due to bankruptcy and a recipient with respect to an economic development project that has failed.
- (e) "Social and domestic tax credits" means the adoption credit created pursuant to K.S.A. 79-202a*, and amendments thereto, the earned income tax credit created pursuant to K.S.A. 79-32,205, and amendments thereto, the food sales tax credit created pursuant to K.S.A. 79-32,271, and amendments thereto, the child and dependent care tax credit created pursuant to K.S.A. 79-32,111c, and amendments thereto, and the homestead property tax refund created pursuant to K.S.A. 79-4501 et seq., and amendments thereto.
- (f) "Tax credit program" means any credit allowed against the tax imposed by the Kansas income tax act, the premium or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.

History: L. 2019, ch. 60, § 2; July 1.

* Reference should be to 79-32,202a.