

**79-255. Property tax refund for oil lease property; claim procedures.** (a) For all taxable years commencing after December 31, 1999, and subject to the provisions of this section, there shall be allowed as a property tax refund to the operator of an oil lease an amount equal to 50% of the total amount of property tax levied and actually and timely paid by the operator for a property tax year which is attributable to the working interest of an oil lease the average daily production per well from which is 15 barrels or less when the price per barrel of oil is \$16 or less, as prescribed in the oil and gas appraisal guide by the director of property valuation for the applicable tax year. No refund shall be allowed for property tax paid upon machinery and equipment for which a credit is claimed pursuant to K.S.A. 2016 Supp. 79-32,206, and amendments thereto.

(b) No claim for a refund allowable pursuant to subsection (a) shall be paid unless filed with and in possession of the department of revenue on or before April 15 of the year next succeeding the year in which such taxes were paid, except that the director of taxation may extend the time for filing any claim or accept a claim filed after the deadline for filing when good cause exists therefor if the claim has been filed within three years of the deadline.

(c) The allowable amount of such claim shall be paid to the operator from the income tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or by any person designated by the claimant, but no warrant issued hereunder shall be drawn in an amount of less than \$5. No interest shall be allowed on any payment made to an operator pursuant to this section.

(d) Insofar as the same may be made applicable, the provisions of K.S.A. 79-3226, and amendments thereto, shall apply to claims for refunds allowable pursuant to this section which may become in dispute.

(e) The department of revenue shall devise and provide forms and instructions necessary to administer this section, and the secretary of revenue may adopt rules and regulations for such purpose.

**History:** L. 2000, ch. 184, § 29; L. 2001, ch. 57, § 5; April 12.