



**Kansas Grain and Feed Association
Kansas Agribusiness Retailers Association
Renew Kansas Biofuels Association**
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To: Senate Committee on Assessment and Taxation
From: Randy Stookey, Senior Vice President of Government Affairs
Date: February 20, 2020
Re: **Joint Proponent Testimony on Senate Bill 309, placing the burden of proof on the county appraiser in certain valuation and classification appeal hearings before the district court**

Chairman Tyson and members of the committee, thank you for the opportunity to provide testimony in support of Senate Bill 309. This testimony is submitted jointly on behalf of the Kansas Grain and Feed Association (KGFA), the Kansas Agribusiness Retailers Association (KARA) and Renew Kansas Biofuels Association (Renew Kansas).

KGFA is the state association of the grain receiving, storage, processing and shipping industry in Kansas. KGFA's membership includes over 950 Kansas business locations and represents 99% of the commercially licensed grain storage in the state. KARA is an agribusiness industry trade association with membership of over 700 companies across Kansas. Renew Kansas is the trade association of the Kansas biofuels industry.

Across Kansas, our member grain elevators, biofuel processing plants, and agribusiness facilities pay millions of dollars annually in property taxes that support local schools and government. The ability of our members to operate a competitive or profitable business is often determined by the amount of fixed costs on their operation - such as property taxes. In recent years, however, the property tax burden on our members has grown exponentially through dramatic, unreasonable, and unrealistic increases in assessed property valuations. These valuation increases have resulted in massive increases in property taxes paid by our members.

For this reason, our associations fully support the public election requirement (property tax lid) as set forth in Kansas law; and, oppose additional exceptions to the election requirement or any other legislation that might further increase property taxes, erode transparency in the process, or weaken the right to appeal a valuation.

Kansas law allows a taxpayer to appeal an order of the board of tax appeals, de novo, to the District Court. Senate Bill 309 would clarify that in any such appeal, regarding the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes or the determination of classification of property for assessment purposes, the county appraiser maintains the duty to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination.

Senate Bill 309 clarifies that, in a de novo property tax appeal before the district court, the county maintains the burden of proof on the classification and valuation of the property. The provisions in this bill are consistent with current Kansas case law, and represent good public policy. For these reasons, we stand in support of the bill.

Thank you for allowing us the opportunity to testify in support of Senate Bill 309. We respectfully request that the committee pass the bill out favorably, and will stand for questions at the appropriate time.