

## 2021 Kansas Statutes

- 79-32,237. **Same; accelerated depreciation, deduction.** (a) In addition to the income tax credit allowable pursuant to K.S.A. 79-32,233 through 79-32,236, and amendments thereto, a taxpayer shall be entitled to a deduction from Kansas adjusted gross income with respect to the amortization of the amortizable costs of a new biomass-to-energy plant or an expansion of an existing biomass-to-energy plant based upon a period of 10 years. Such amortization deduction shall be an amount equal to 55% of the amortizable costs of such new plant or expansion of an existing plant for the first taxable year in which such new plant or expansion of an existing plant is in production and 5% of the amortizable costs of such new plant or expansion of an existing plant for each of the next nine taxable years.
- (b) The election of the taxpayer to claim the deduction allowed by subsection (a) shall be made by filing a statement of such election with the secretary of revenue in the manner and form and within the time prescribed by rules and regulations adopted by the secretary.
- (c) The provisions of this section shall apply to all taxable years commencing after December 31, 2005.
- (d) The secretary of revenue shall adopt such rules and regulations as deemed necessary to carry out the provisions of this section.
- (e) As used in this section, terms have the meanings provided by K.S.A. 79-32,233, and amendments thereto.

**History:** L. 2006, ch. 209, § 21; L. 2007, ch. 113, § 30; July 1.