

## 2012 Kansas Statutes

### **79-1439a. Classification of certain not-for-profit organization real property; assessment rate.** (a)

In accordance with and for the purposes of section 1 of article 11 of the Kansas constitution, real property, to the extent herein specified, which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to paragraphs (2), (3), (4), (7), (8) or (10) of subsection (c) of section 501 of the federal internal revenue code, as in effect on January 1, 1994, is hereby included in subclass (4) of class 1 for property tax classification purposes, and shall be assessed at the rate of 12% of its fair market value. With respect to real property owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to paragraph (2) of subsection (c) of section 501 of such code, this section shall only apply to real property leased to a not-for-profit organization not subject to federal income taxation pursuant to paragraph (8) of subsection (c) of section 501 of such code. With respect to real property owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to paragraph (7) of subsection (c) of section 501 of such code, this section shall only apply to land which is actually and regularly used for recreational purposes, other than land accommodating buildings or other improvements associated with such recreational land. Nothing in this subsection shall be deemed to affect the exemption of property by law or the Kansas constitution.

(b) The provisions of this section shall apply to all taxable years commencing after December 31, 1993.

**History:** L. 1994, ch. 333, § 1; May 19.