



KANSAS
ASSOCIATION OF
COUNTIES

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House Taxation Committee
February 13, 2025
HCR 5011

Kansas Association of Counties
Neutral Testimony – Written Only

Chairman Smith and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer proponent testimony on HB 2004, which would change the way residential property is assessed for taxation purposes.

KAC would commend the committee for looking at potential solutions to the residential property tax burden. Residential property taxes account for a significant portion of the property tax.

A rolling average would be similar to the way agricultural land is valued with a rolling average of the production value. Here, the legislature would be able to set the number of years included in the average, which would help smooth out the spikes in valuation.

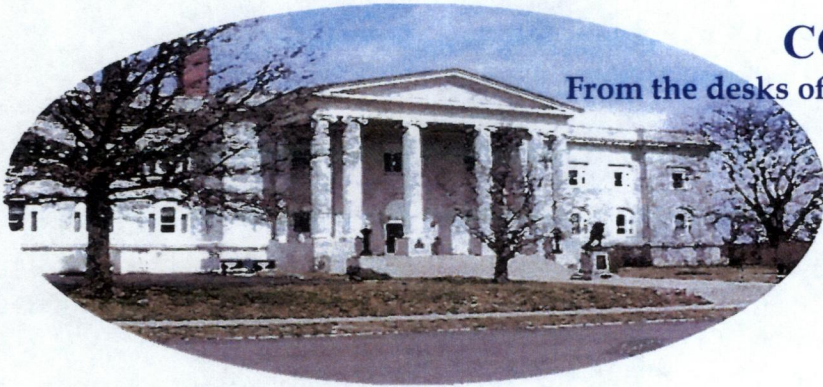
This would help offset spikes while still accounting for the valuation in a fair way to ensure the market value is reflected. This would add some predictability for residential homeowners as well. They would know the bulk of their valuation each year. The legislature should endeavor to set the number of years so that homeowners will know consistently from year to year how many years are included in the average, as well as allowing appraisers to help educate the public on the new system.

There are challenges with a rolling average. The first is new construction. How do you properly and fairly reflect a lot that was previously empty and now has a new residential home? Reflecting new construction fairly is a critical part of this legislation. Second, how do you properly reflect property that has been destroyed? Reflecting that fairly is also important, particularly if that lot is not going to have the home replaced. Finally, how do you appropriately reflect a property that has been re-classified to residential?

These are not impossible challenges, but they do require thought to make sure each taxpayer is treated in a fair and equitable way when their property is valued.

Thank you for the opportunity to present this perspective on this legislation.

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COUNTY OF LEAVENWORTH

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House Taxation Committee

February 13, 2025

HCR: 5011

Neutral Testimony-

Chairman Smith and members of the Committee:

Thank you for your service to the State of Kansas as members of the House of Representatives, and thank you for your consideration of issues related to property taxes here in the State of Kansas.

The Leavenworth County Commission has been listening to local residents for many years now as they express their concerns about the heavy burden of ever spiking valuations and the associated increases in property taxes on their homes.

The entire Commission has agreed to support SCR 1603 which is a true cap on tax rates resulting from increased valuations, capping such increases to no more than 3% per year. SCR 1603 applies to all classes real estate including mobile homes.

The provisions of HCR 5011 would use the lesser of the actual change or a rolling average of an unspecified number of years to be determined by legislature and it would only apply to residential property.

One concern about this legislation is that if it is submitted to the voters that it will be difficult for voters to assess the real impact upon property taxes because the rolling average will not be established ahead of time or within the amendment.

While there is no panacea to solve the overall property tax issue in the state of Kansas, we believe that following the lead of the 26 other states that have some version of a valuation cap, would build more stability, continuity, and predictability into the Kansas economy.

The fact that HCR 5011 applies only to residential real estate also raises concerns that this legislation could do more shifting to other property classes like commercial and agricultural. SCR1 1603 caps all classes of property at the 3% level while HCR 5011 has no cap at all. Those who fear a shift of the burden to agricultural land have more to fear from HCR 5011 than any fears they may have previously had about the same potential under the proposed valuation cap contained in SCR 1603.

The bottom line is that we believe the legislature needs to act.

We suggest a substitute amendment to replace HCR 5011 with SCR 1603 and then urge the House of Representative to take up the Senate valuation cap which would benefit far more Kansans.

Cordially yours,

Leavenworth County Commissioners;

Willie Dove, Mike Stieben

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Legislature debates assessed valuation limits: rolling average or 3% cap

By Dave Trabert

February 9, 2025

Kansas Policy Institute



Last week, the Kansas Senate [passed](#) a constitutional amendment that limits the increase in taxable real estate valuations to 3% annually. [SCR 1603](#) applies to all real estate and mobile homes, considered personal property under Kansas law.

The limit would not apply when: *→ back dated to 2022 values*

Skip to footer [intent](#) includes new construction or improvements have been made;

- The class or subclass of the property changes for assessment rate purposes;
- The property becomes disqualified from exemption;
- The property is first listed as escaped or omitted property or
- The legal description of the parcel changes, except the valuation of all property affected by a legal description change would not be permitted to exceed 3 percent of the total valuation of the affected property of the previous year.

House Speaker Dan Hawkins says he doesn't have the two-thirds majority needed to pass a constitutional amendment and has no plans to have House members vote on SCR 1603. Instead, the House will introduce its version of an assessment limit, according to [Sunflower State Journal](#).

The House plan in [HCR 5011](#) would use the lesser of the actual change or a rolling average of an unspecified number of years to be determined by Legislators and only apply to residential property. In contrast, the Senate's plan is the lesser of the actual change or a 3% fixed annual cap and applies to all real estate classes. The House plan goes into effect on January 1, 2027, one year later than the Senate plan. The one-year delay seems designed to allow the Legislature to determine the number of years in the rolling average if voters approve the constitutional amendment in November 2025, but that means voters won't really know the amendment's potential impact because the term of the rolling average isn't specified in the House plan.

There are other nuances between the two plans, but the timing, formula, and applicability are the significant differences.

According to SSJ, the House believes the Senate plan "creates disparities between a home's fair market value and the taxable value," but so would the House plan. In fact, the taxable value of all real estate already differs from market value because of assessment ratios in the Kansas constitution. For example, residential property is taxed at 11.5% of appraised value, commercial and industrial real estate at 25%, and agricultural property at 30%.

There are also concerns with both plans deviating from appraising property at fair market value. However, limiting the increase in taxable value rather than on the appraised value may eliminate most of those fears.

The language in SCR 1603 limits "the final taxable appraised value." Amending SCR 1603 to change the word 'appraised' to 'assessed' and limiting the increase in assessed valuations would result in appraised values (allegedly) staying at market value.

Simulation Limiting Taxable Value			
Description	Year 1	Year 2	% Chg
Appraised Value	\$ 250,000	\$ 275,000	10.0%
Assessment Ratio	11.5%	11.5%	
Assessed Value	\$ 28,750	\$ 31,625	10.0%
Taxable Value	\$ 28,750	\$ 29,613	3.0%

The adjacent table simulates how this would work on a home appraised at \$250,000. Residential property is assessed at 11.5% of appraised value (\$28,750 in the example). Let's say the appraised value goes up 10% next year to \$275,000. The assessed value would also increase by 10% to \$31,625, but legislation saying the increase in assessed value may not exceed 3% puts it at \$29,613. This change allows a 10% increase in appraised value but only a 3% increase in the taxable assessed value.

Comparison of a 6-year rolling average and a 3% cap on valuations

The Sunflower State Journal article says the House plans a six-year rolling average, so we'll compare that to the Senate plan.

The adjacent table shows what would have occurred if the House and Senate plans had been implemented in 2002 (to allow for a six-year average) with limits on the taxable assessed value described above on a home appraised at \$100,000 in 1997.

According to the Kansas Department of Revenue data, both plans have the same appraised value as of today, based on the average increases on existing property. Residential property is assessed at 11.5% of appraised value, making the assessed taxable value of the home increase from \$11,500 in 1997 to \$31,184 today. Under **Skip to footer intent** taxable assessed value would be \$24,940 and the homeowner

would pay \$3,741 at 150 mills. The homeowner saves more under the Senate plan, paying \$3,434 on a taxable value of \$22,892.

Simulation of 2002 Implementation Limiting Taxable Value			
Description	Actual History	6-Year Rolling Average	3% Annual Cap
Appraised Value in 1997	\$ 100,000	\$ 100,000	\$ 100,000
Appraised Value in 2024	\$ 271,168	\$ 271,168	\$ 271,168
Taxable Value in 1997	\$ 11,500	\$ 11,500	\$ 11,500
Taxable Value in 2024	\$ 31,184	\$ 24,940	\$ 22,892
Total Chg Taxable Value '97-'24	171%	117%	99%
CAGR Taxable Value '97-'24	3.8%	2.9%	2.6%
2024 Tax @ 150 mills	\$ 4,678	\$ 3,741	\$ 3,434

Source: Kansas Dept. of Revenue, author's calculations

Under current law, the homeowner would pay \$4,678 today with no valuation limit.

Both plans would have produced savings, but the actual savings of both plans would probably be less because local elected officials would likely have imposed higher mill rates. However, the impact of mill rate increases on their re-election chances would likely soften the rate hikes and still leave homeowners with savings.

[See here](#) for the changes by year.

The one-year implementation plan in the House plan is practically an invitation for county appraisers to jack up valuations before any rolling average applies.

Another downside of the House plan relative to the Senate plan is the potential impact on future appraised values. Phasing in increases with a 6-year rolling average makes it easier for appraisers to raise values because the homeowner will only feel a small portion of the impact each year. Appraisal hikes have no impact with a fixed cap on taxable values.

Only applying a cap on residential taxable values in the House plan also raises the possibility of shifting the tax burden to other classes of real estate, like agriculture and commercial/industrial property.

Regardless of how all this shakes out – the final product in situations like this typically includes elements of both plans – the House deserves credit for bringing an alternative for consideration. Otherwise, the issue would likely die if two-thirds of House members won't support the Senate plan.

Skip to footer content **Increases without voter approval**

As noted earlier, valuation limits prevent property owners from large spikes, but they also likely result in local officials charging higher mill rates. Legislators can blunt that temptation by also limiting the percentage increase in tax collections for local government entities without voter approval.

A tax limit can be accomplished by changing state law, which only requires a simple majority to pass and could go into effect July 1 of this year, whereas a constitutional amendment requires a two-thirds majority to reach the November ballot and take effect in January 2026. Of course, Governor Kelly is likely to veto a tax limit as she routinely takes the side of local government and school administrators over taxpayers and students, so a two-thirds majority is needed to override her veto of a statutory change.

A statutory change could be made to the existing revenue-neutral law, which requires elected officials to notify taxpayers that they intend to exceed revenue-neutral and hold a public hearing before voting on the increase. A sentence could be added saying that exceeding revenue-neutral by more than 3% requires voter approval on the August primary ballot. Therefore, the results would be known before revenue-neutral hearings begin on August 20 and several weeks before budgets must be finalized.

Real Estate Property Tax Change							
Description	2018	2019	2020	2021	2022	2023	2024
Residential	4.6%	5.2%	4.5%	5.0%	8.3%	11.7%	5.1%
All Real Estate	4.4%	4.3%	3.7%	3.0%	6.0%	8.7%	4.5%

Source: Kansas Dept. of Revenue, Property Valuation Division

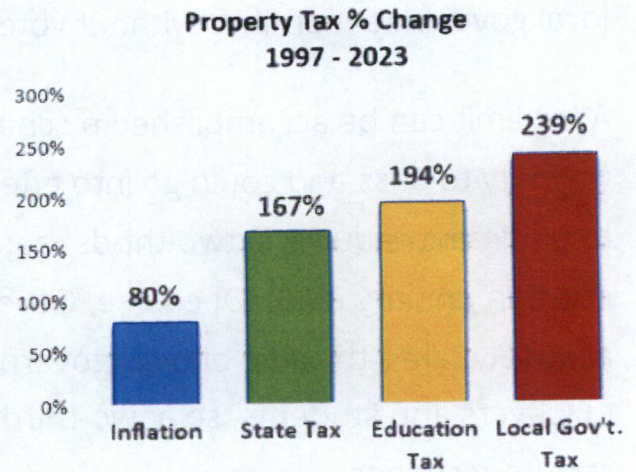
Some people fear that a 3% tax limit would 'lock in' a 3% increase each year, but that would be a welcome relief when compared to the historical reality. The average tax increase on residential property since 2018 is 6.3%, and the average change on all real estate (including commercial/industrial, agricultural, and other classes of real estate) is 5.0%; that includes changes from new construction, but the change on existing property would still be well above 3%.

Shaving mill rates is not enough

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It is hard to predict how the House and Senate will resolve their differences, but doing a valuation or a tax limit (or both) is an absolute must for taxpayers.

There is consideration of minor reductions to the 20 mills the state collects for school funding and raising the exemption on that tax for homeowners. Another thought is eliminating the 1.5 mills the state collects for state building maintenance. Both are good changes, but fall far short of what taxpayers need. Also, both measures insulate school districts and other local entities, which collectively account for 99% of all property taxes, from having to take taxpayers into consideration.



Source: Kansas Dept. of Revenue, Bureau of Labor Statistics

The 2024 county-level data is not available, but local governments hiked property tax collections by 239% between 1997 and 2023. That is three times the rate of inflation, with only a 12% population increase. Tax increases from schools and community colleges are almost as bad, with a 194% increase.

Kansans also strongly favor limits on valuations and property taxes, according to a [public opinion poll](#) conducted on our behalf by SurveyUSA.

64% of taxpayers want a valuation limit, and only 18% are opposed. Approval of a 3% tax limit is even greater, with 87% approval and only 9% opposed.

The state constitution should be changed to limit annual increases in appraised values rather than appraising property at fair market value.

688 Registered Voters; Dec. 2024	All	Region				Ideology		
		Western Kansas	Wichita Area	Kansas City Area	Eastern Kansas	Conserv	Mod.	Liberal
Credibility Interval: ± 4.1 pct pts								
Strongly / Somewhat Agree	64%	61%	67%	66%	62%	70%	67%	52%
Strongly / Somewhat Disagree	18%	20%	14%	21%	15%	15%	16%	28%
Not Sure	18%	18%	19%	12%	23%	15%	18%	20%

Local tax authorities should not be able to increase the property taxes they collect by more than 3% without voter approval.

688 Registered Voters; Dec. 2024	All	Region				Ideology		
		Western Kansas	Wichita Area	Kansas City Area	Eastern Kansas	Conserv	Mod.	Liberal
Credibility Interval: ± 4.1 pct pts								
Strongly / Somewhat Agree	87%	95%	88%	88%	84%	91%	88%	81%
Strongly / Somewhat Disagree	9%	4%	8%	9%	9%	6%	10%	11%
Not Sure	4%	1%	3%	3%	6%	3%	2%	7%

Source: SurveyUSA poll conducted Dec. 13-18, 2024 on behalf of Kansas Policy Institute

Saving a few bucks from shaving state mill rates is not enough. Legislators must come together to take substantive action with limits on valuations or taxes...or both.



[assessed valuation](#), [Dan Hawkins](#), [HCR 5011](#), [property appraisals](#), [Property Tax](#), [SCR 1603](#), [SurveyUSA](#)

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News

House will not take up amendment to limit property valuation increases, Hawkins says

Author: Patrick Richardson - January 27, 2025

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Despite more than 60% of Kansans supporting constitutional limits on property tax valuations, Kansas Speaker of the House Dan Hawkins says the Kansas House of Representatives will not take up the amendment [recently passed](#) by the Senate tax committee.

[According to State Affairs](#), Hawkins said late last week that even if the full Kansas Senate passes Concurrent Resolution 1603, it will not get a vote in the House.

“Hawkins (R-Wichita) said he didn’t think the House had enough support to pass the [Senate Concurrent Resolution 1603](#), which would require a two-thirds approval,” the outlet reported. “He took a frequent stance of his: ‘We never put something up for a vote if we know it’s not going to pass.’”

The [amendment](#) has a lack of support among House members, but taxpayers like the idea.

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In written testimony before the Senate Committee on Assessment and Taxation, Dave Trabert, CEO of the Kansas Policy Institute — which owns *The Sentinel* — noted that a recent public opinion poll conducted by SurveyUSA on behalf of Kansas Policy Institute shows overwhelming support for a valuation limit, with 64% of voters in favor and only 18% opposed. Support is consistent across all geographic and ideological perspectives.

The state constitution should be changed to limit annual increases in appraised values rather than appraising property at fair market value.								
688 Registered Voters; Dec. 2024	All	Region				Ideology		
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Not Sure	18%	18%	19%	12%	23%	15%	18%	20%

Source: SurveyUSA poll conducted Dec. 13-18, 2024 on behalf of Kansas Policy Institute

Trabert spoke in favor of the amendment — which would limit the annual valuation increase on real property and mobile homes to 3% — noting that property taxes in Kansas have increased exponentially for years.

Trabert said that — from 1997 through 2023, the last year for which numbers are available — taxes on residential properties in Kansas have increased 342%, and overall real estate taxes are up 296%. Over the same time period inflation has increased 80%.

Additionally, Trabert said the amendment is needed because residential property owners have had an increasingly large share of the burden shifted onto them.

“In 1997, residential property paid 39% of the property tax; now it pays 55%,” Trabert said.

Trabert noted in his written testimony that in 2022 and 2023, many counties saw double-digit valuation increases—some, like Anderson, Linn, and Wyandotte counties, more than 40% over two years.

“Most of those counties lost population over that period, but population loss is only part of the story,” Trabert wrote. “Some counties that gained population still suffered economic loss from people moving away. Johnson County, for example, had a net loss of \$400 million in adjusted gross income from domestic migration, according to the IRS.”

Tax increases should be lower with valuation limits

While the amendment would not directly reduce taxes, it *would* likely result in taxes increasing at a much lower rate than in recent years.

The adjacent table from Trabert’s testimony shows that a 15% valuation increase typically results in about a 13% tax increase after local elected officials reduce the mill rate by about 1%. To achieve the same 13% tax increase with a 3% valuation limit, however, elected officials would have to raise the mill rate by more than 10%, and after years of (falsely) equating changes in mill rates with tax changes, Traber said a 10% mill rate increase is very unlikely. They would likely increase the mill rate but by a much lower

[Skip to footer intent](#)

amount, and taxpayers would likely pay less than if they would without the limit on assessed valuation.

Will Elected Officials Raise Mill Rates by Double-Digits?					
Description	Current	Current +15%	Current +3%	Mill @ +15%	Mill @ +3%
Appaised Value	\$ 100,000,000	\$ 115,000,000	\$ 103,000,000		
Ratio	11.5%	11.5%	11.5%		
Assessed	\$ 11,500,000	\$ 13,225,000	\$ 11,845,000		
Mills	150	148	165	-1.3%	10.2%
Tax	\$ 1,725,000	\$ 1,957,300	\$ 1,957,300		
Tax Change		13%	13%		

“Local elected officials’s false insistence that they’ve held the line on property tax increases by not raising mill rates much would have worked against them,” Trabert said. “The primary concern for many of them is getting re-elected, and they know that big hikes in mill rates would hurt their re-election chances. They likely would have increased mill rates, but taxpayers would still probably have considerable net savings.”

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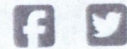


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