

New Section 1. (a) As used in this section:

(1) "Directly competes" or "directly competing" means to sell the same product or service to the public.

(2) "Governmental entity" means the state or any county or city.

(b) A governmental entity that directly competes at any time during the tax year with a for-profit business located within the governmental entity's taxing jurisdiction shall provide a rebate to such business in an amount equal to the ad valorem property tax levied by such governmental entity for such tax year on the taxable commercial property owned and operated by such for-profit business. When the taxable commercial property owned and operated by such for-profit business is used for another purpose or business, only the property tax amount attributable to the portion of the property where the directly competing business is operating shall be used to calculate the rebate amount.

(c) A for-profit business shall not be entitled to a rebate under the provisions of this section if there are delinquent property taxes owed on the commercial property referenced in subsection (b).

(d) Any governmental entity may expend moneys from the general fund of such governmental entity to grant rebates pursuant to this section.

(e) (1) The property owner requesting a rebate pursuant to this section shall be required to submit an application for a rebate with supporting documentation to the governing

body of such directly competing county or city, or to the director of taxation if the state is the competing governmental entity, on or before December 20 of the year following the year for which such taxes were assessed.

(2) The governing body or director of taxation shall determine the eligibility of the applicant within 90 days after receipt of the application. Upon approval of an application for a rebate and payment of the ad valorem property taxes levied for such tax year, the governing body or director shall pay the rebate within 30 days or grant a credit in the amount of the rebate against property taxes payable by such owner in the next succeeding tax year.

(3) If the governing body or director of taxation denies an application for a rebate, the governing body or director shall provide a written final decision to the applicant within 90 days after receipt of the application. The applicant may appeal such final decision to the office of administrative hearings of the department of administration within 30 days after service of the final decision.

(4) The provisions of the Kansas administrative procedure act shall govern proceedings before the office of administrative hearings pursuant to this section. Judicial review of an order under this section shall be in accordance with the provisions of the Kansas judicial review act, except that the parties to the action for judicial review shall be the same parties as appeared before the office of administrative hearings. In any such review, the department of administration and office of administrative hearings shall not be named parties to the proceedings.

(f) The provisions of this section shall be applicable to all taxable years commencing after December 31, 2022.