

Kansas Department of Revenue
Office of Research & Analysis
109 SW 9th St.
Topeka, KS 66612-1588



Phone: 785-296-8042
Fax: 866-554-5654
www.ksrevenue.org

Mark Burghart, Secretary

Laura Kelly, Governor

**State of Kansas
Department of Revenue
Notice of Hearing on Proposed Administrative Regulation**

A public hearing will be conducted by the Department of Revenue on December 11, 2019 at 9:00am in the KDOR Secretary Conference Room, 4th floor to consider the revocation of 92-19-56, retailers' sales tax regulation. Copies of this proposed regulation and Economic Impact Statement may be found at <https://www.ksrevenue.org/prproposedregulations.html>.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulation. All interested parties may submit written public comments on the proposed regulation prior to the hearing to Erin Starr, Office of Research and Analysis, Mills Building, 109 SW 9th St., Topeka, Kansas 66612 or through e-mail at erin.l.starr@ks.gov.

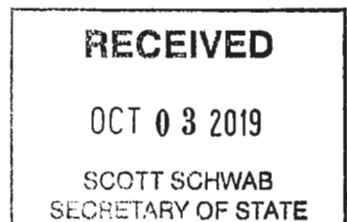
All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the adoption of the proposed regulation. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Erin Starr at (785) 296-8042 or TTY (785) 296-6461. Disabled parking is located on the north side of the Mills Building on either side of 9th St. The north entrance to the Mills Building is accessible.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

**Kansas Department of Revenue
Article 19. Kansas Retailers' Sales Tax**

Revocation of K.A.R. 92-19-56. The revocation of this regulation is due to the amendment of HB 2140 amending K.S.A. 79-3606 by providing a sales tax exemption for, "all sales of gold or silver coins; and palladium, platinum, gold or silver bullion". Bullion means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form. No economic impact is expected with this revocation.



92-19-56. (Authorized by K.S.A. 79-3618, implementing K.S.A. 1986 Supp. 79-3603 as amended by L. 1987, Ch. 182, Sec. 108; effective May 1, 1988; revoked P-
_____.)

APPROVED
JUL 23 2019

DIVISION OF THE BUDGET

APPROVED
JUL 24 2019

DEPT. OF ADMINISTRATION

APPROVED
AUG 26 2019
ATTORNEY GENERAL

RECEIVED
OCT 03 2019
SCOTT SCHWAB
SECRETARY OF STATE

Research and Analysis
109 SW 9th Street
PO Box 3506
Topeka KS 66601-3506
Mark Burghart, Secretary



Phone: 785-296-3081
Fax: 785-296-7928
www.ksrevenue.org
Laura Kelly, Governor

**I. KANSAS DEPARTMENT OF REVENUE
ECONOMIC IMPACT STATEMENT
K.A.R. 92-19-56**

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt along with the following to the Division of the Budget.

I. Brief description of the proposed rule(s) and regulation(s).

HB 2140 amended K.S.A. 79-3606 by providing a sales tax exemption for, “all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. Bullion means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

This policy is not mandated federally.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

N/A

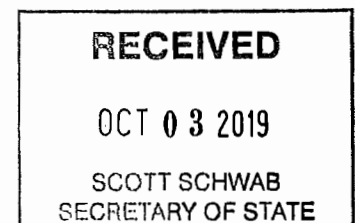
B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

N/A

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C. **Businesses that would be directly affected by the proposed rule and regulation;**

N/A

D. **Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

N/A

E. **Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

N/A

F. **An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

N/A

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

N/A

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

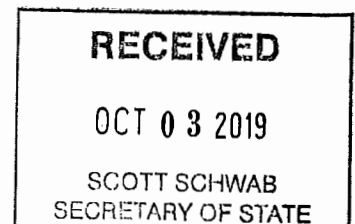
YES NO

G. **If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

N/A

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- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

No impact.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

The regulation does not apply to an environmental rule.

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