

## Why our simple social security tax cliff and tax problems are still not resolved after 5 years of discussions?

Governor Kelly vetoed HB2284 on January 26, 2024. It was the 2-nd veto because of flat individual income tax rate at 5.25%. The first veto was about another flat tax rate at 5.15% in 2023. Republican lawmakers could not override the veto on February 20, 2024. Then our serious social security (SS) tax cliff problem has still not been resolved after 5-year discussions because of its political content of the flat tax rate.

HB2284 includes individual income tax at 5.25% flat rate (from existing 3.1%-5.7%), all SS benefit exemption, standard deduction increase, personal exemption increase, resident property tax exempt to \$100,000, and others. The tax revenue will be reduced by \$306 million, \$120 million, \$19 million, \$15 million, \$89 million or \$8 million respectively with total tax revenue reduction by about \$558 million/year. When Kansas surplus \$2.8 billion covers the reduction, it will last 5 years only. Then debt may be produced dafter the 5 years. Our tax policy affects many people and shall be long-term balance.

Kansas has had a social security (SS) tax cliff problem for many years. When adjusted gross income (AGI) is not over or over \$75,000, social security benefit is 100% or 0% subtraction respectively, which leads the simple tax cliff problem. For two AGIs from such as \$75,000 to \$75,001 **with \$1 differences**, the Kansas tax rate is 5.044% from  $0.057-457.5 \times 1 / (75,000-3,000-2,250)$  (A) and **their SS tax difference is \$1,332** ( $\$26,400 \times \text{tax rate}$ ) with SS benefit of \$2,200/month (or \$26,400/year), **which is totally unfair.**

Over the past 5 years, several proposals were presented to resolve this simple SS tax cliff problem. 2020 HB 2567 (B: by Rep. Gartner) proposed to reduce from 100% to 0% by 10% for each \$1,000 of AGI in excess of \$75,000 with 10 steps from \$75,000 to \$85,000 whether a taxpayer's filing status is single, head of household, married filing separate or married filing jointly. Tax revenue would be reduced by \$1.8 million. 2020 HB 2542 (C: by Rep. Mason) proposed to increase AGI from \$75,000 to \$100,000. Tax revenue would be reduced by \$43.3 million. **One suggestion (A) was to use one simple linear formula to reduce from 100% to 0% gradually** between such as \$75,000-\$85,000 or \$70,000-\$80,000 to resolve the SS tax cliff problem simply with little to no tax revenue change. Different tax statuses (S) are also discussed.

2022 HB 2727 (D: by Rep. Gartner) modification proposed to reduce from 100% to 0% gradually with one simple linear formula  $1-(\text{AGI}-75,000)/10,000$  from \$75,000 to \$85,000, which was combined into 2022 HB 2597 (E: Page 48). 2023 HB 2109 (F: by Rep. Sawyer) proposed to reduce from 100% to 0% deduction gradually with one simple linear formula  $1-(\text{AGI}-75,000)/25,000$  from \$75,000 to \$100,000. Tax revenue would be reduced by \$20.5 million. The bill was combined into 2023 SB 169 (G: by Senator Tyson). The final bill combined

several favorable and unfavorable bills together. It is a major reason that the simple SS tax cliff problem is still not resolved after the 4 year discussions.

“Favorable” bills can be used to resolve our problems and are good to our society. “Unfavorable” bills have strong political contents to cause problems (short and/or long term). **2022 HB 2727 and 2023 HB 2109 were favorable bills to resolve our SS tax cliff problem.** 2023 SB 169 (G), was about individual income tax with 5.25% or 5.15% (flat tax rate), which would cause several serious problems such as: (1) tax revenue would be reduced significantly by such as \$572.5 million per year without balance. We resolve one problem and shall not create another problem; (2) for high incomes like \$1 million (taxable income), income tax would be reduced by \$4,042.50 or \$5,042.50 less than the existing tax rate system (5.65425%); and (3) Kansas has 3 (up to 8) tax brackets, 48 (3×2×8) withholding formulas, 22-page Withholding Tables, and 8-page Tax Table, which are complex and need to be simplified. 2022 HB 2727 should not be combined into 2022 HB 2597. 2023 HB 2109 should not be combined into 2023 SB 169.

**There are two political trends for income tax systems.** One is to increase tax revenue with complex income tax systems. Another one is to reduce tax revenue with a flat tax rate, which will not resolve related problems of tax revenue, basic living cost, income tax, fairness, and others. When 2 tax rates are set such as 3.1% for bottom tax rate and 4.785% for taxable income \$50,000×S (S is 1 for Single Filers or 2 for Joint Filers), a straight linear line between them is the most simple, fair, and effective (H). **We need tax simplification to save related costs and time for the Department of Revenue, lawmakers, companies, and people.** Budget balance needs to be considered at first. Proper and simple tax system needs to be used.

**One simple linear formula** in 2022 HB 2727, 2023 HB 2109 or modifications could be used to resolve our social security (SS) tax cliff problem simply with little or no tax revenue change, which already had wide supports from Kansas Republic and Democratic lawmakers. Governor Kelly presented a similar proposal (I) as 2023 HB 2109. One similar linear formula can also be used to resolve our corporate tax, Homestead Property Tax Refund, and other tax problems technically with slight or no tax revenue change (H and J). One simple linear formula and one existing formula, which can simplify and replace existing 3 (up to 8) tax brackets, 48 (3×2×8) withholding formulas, and 22-page Withholding Tables, **can be used to resolve our individual income tax system problems technically with more than 96% (1-2/48) simplification, neutral tax revenue (K: \$3 million), and 15 benefits to save millions of dollars (H: Table 6).** Existing income tax rate ranges at 3.1%-4.785%-5.7% (two tax brackets) may be reformed to 2.9%-4.585%-5.5% or 2.7%-4.385%-5.3% to reduce taxes for all taxpayers.

Political contents shall be removed as possible from these tax solutions with one simple linear formula. To resolve our social security tax cliff problem, which shall be done at first, is much more important than to push political flat tax. Favorable and unfavorable bills shall not be combined together. **Then these problems can be resolved simply, technically, and effectively, which are good for our society.**

## References:

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