

Questions and Answers Concerning Tax Clearance

1. What is the State of Kansas tax clearance process?

Governor Sebelius' Executive Order 2004-03 directed the Secretary of Revenue to establish a State of Kansas tax clearance process. This process is to ensure that each individual who is hired by a state agency under the jurisdiction of the Governor is current and compliant with all Kansas tax laws administered by the Dept. of Revenue. The Secretary of Revenue is responsible for issuing the tax clearance policies and procedures as necessary.

2. What happens if applicants do not present the tax clearance certificate with their application materials by the application deadline date? Is their application denied?

If the certificate is not provided within two business days after the closing date, the application should be denied. Since this is a new process for applicants, the additional days after the closing date will allow some applicants the necessary time for KDOR to complete their certificate request. If a job posting is "Open until filled", allow applicants two business days after the requisition is closed.

3. Will this tax clearance certificate requirement apply to any job posting, including classified and unclassified positions, and temporary positions?

Yes.

4. If the position is posted for state employees or agency employees only, will current state employees be required to provide a tax clearance certificate?

Yes, if their last certificate is expired. Tax clearance certificates are valid for 90 days.

5. What happens when a position is not posted, such as for a temporary or unclassified position?

Applicants will still need to know that a tax clearance certificate is required if they are going to be paid from the State of Kansas payroll funds. In this case, you may need to notify applicants when scheduling interviews.

6. Where do we keep these certificates that applicants submit?

The certificates will be kept with the applicant files. The certificate for the new hire will be kept in the official personnel file.

7. Will applicants be required to submit an original certificate or can we accept a certificate sent by e-mail or fax?

Faxed or scanned copies will be sufficient.

8. How often must an applicant apply for the tax clearance certificate form? Do they need to apply every time they submit a job application?

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Certificates are valid for a period of 90 days. Applicants can use the same certificate to apply for as many jobs as they wish during the valid 90 day time period. At the end of the 90 day period, if the applicant wishes to apply for another position, they will need to submit for a new "Certificate of Tax Clearance". In cases where there is more than a 90 day period between receiving an application for employment and the actual hiring/start date, as long as the applicant provided a certificate at the time of application, it is OK to hire.

9. After the applicant is hired, does the agency need to keep requesting a valid certificate every 90 days?

Once employment is gained, there is no reason to request or renew a valid certificate every 90 days. Only if the individual applies for a new position after the valid date has expired, will they need to submit/update a request for a new "Certificate of Tax Clearance". The valid through date is printed on the certificate.

10. Will applicants receive a certificate if they owe back taxes?

It is possible to owe back taxes and still receive a certificate. If the applicant is working with KDOR on a payment plan, or other certain circumstances exist, the certificate will be issued. The key idea behind tax clearance is to ensure citizens are working in good faith with KDOR either by meeting obligations timely, or through efforts to address any outstanding issues.

11. Where do applicants find instructions on how to obtain the tax clearance certificate?

Instructions are found at the following link: <http://www.ksrevenue.org/taxclearance.html>
www.jobs.ks.gov also lists a link to the KDOR website.

12. Who do applicants contact if they need additional assistance with the tax clearance process?

Any additional questions can be directed to:
Special Email: Tax.Clearance@kdor.ks.gov
Phone: KDOR Collections-Special Projects at 785-296-3199
Phone: KDOL Call Center: 785-296-5027

13. If the applicant submits a paper application how will they receive their certificate? Will it be mailed?

Instructions for receiving a certificate by mail are found at the following link:
<http://www.ksrevenue.org/taxclearance.html>

14. What happens if a qualified applicant cannot obtain a tax clearance certificate because they discover they owe back taxes?

If there is an issue, the individual will be prompted on the KDOR website to call the telephone number for whichever agency the debt is for, KDOR or KDOL. Once they clear up the issue, such as enter into a payment plan, or another solution, the staff they are working with can release it so a certificate can be printed immediately. The taxpayer is responsible for taking care of any issues promptly to avoid any time lapse with the processing of their employment application.

15. If a veteran (VPE) or employee preference (KEPP) applicant does not submit their tax clearance certificate will their job application be denied?

The State's veterans' preference policy requires that all veteran applicants who meet the requirements of a position are to receive an interview (K.S.A. 73-201 and K.A.R. 1-6-21). Employee preference is for employees who have been laid off from State government within the previous 12 months, and if they possess the required qualifications, they are offered the position (K.A.R. 1-6-23).

The tax clearance rule applies as with any other applicant. The application packet must be complete, including a tax clearance certificate, as required in the job posting.

16. Are individual state agencies required to track tax clearance data?

No. KDOR will be tracking this data for the entire State.

17. Do I need to include the tax clearance requirement on every job vacancy posting?

Yes. Each job posting will include the following informational paragraph:

KANSAS TAX CLEARANCE CERTIFICATE REQUIRED: Each applicant applying for a State of Kansas job vacancy must obtain a valid Kansas Certificate of Tax Clearance by accessing the Kansas Department of Revenue's website at <http://www.ksrevenue.org/taxclearance.html>

A Tax Clearance is a comprehensive tax account review to determine and ensure that an individual's account is compliant with all primary Kansas Tax Laws. A Tax Clearance expires every 90 days.

Applicants are responsible for submitting a valid certificate with all other application materials to the hiring agency. This is in accordance with Executive Order 2004-03. If you need assistance with the tax clearance, please contact 785-296-3199.

18. Can I shorten this statement when placing a classified advertisement in a newspaper or any other publication resource that charges a fee?

Yes. For cost savings, you may use an abbreviated statement.

Examples: "Apply online at www.jobs.ks.gov for job requisition no. xxx."

Or "A Kansas tax clearance certificate is required. Visit www.jobs.ks.gov for details."

19. Will job applicants who have never lived or worked in Kansas be required to obtain a tax clearance certificate?

Yes, all applicants must request a certificate. It is not the responsibility of the hiring agency to determine whether or not an applicant has ever resided or worked in the state of Kansas.

20. What happens when a non-US citizen applying for a job with the State needs to obtain a tax clearance certificate and they don't have an SSN?

If they do not have an SSN, they should have an ITIN which has the same numbers (characters and starts with a 9) as the SSN. If they enter the ITIN number and it matches our ITIN number then the system will process the request. If they have obtained an SSN in the meantime, they will

receive a denial from KDOR and will be directed to call 296-3199 for assistance so the certificate can be printed.

21. Do we need to delay our hiring process while waiting for applicants to submit their certificates?

Although applicants are adjusting to this new process, the turnaround time for an applicant to receive their certificate from KDOR is a very reasonable 24 hours unless there is a tax issue that an applicant needs to resolve. It is not necessary for a hiring agency to delay the hiring process if applicants have not submitted the required certificate.

22. Why do some applicants have to wait for one or two weeks before a tax clearance certificate is issued?

If an applicant cannot obtain the tax clearance within 24 hours, it means that there is a tax compliance issue they need to clear up before KDOR will release the certificate. This may take a week or more depending on the tax compliance issue they may have and what actions they need to take to clear up the non-compliance.

23. What do we do when applicants are confused about the process for obtaining their tax clearance certificate and they send our agency their confirmation or transaction number instead of the certificate?

The KDOR web site and generated email contain specific instructions on the process. If the applicant has further questions, they should call KDOR at 785-296-3199.