

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 21

BY: HERBERT

AS INTRODUCED

AN ACT RELATING TO REVENUE AND TAXATION; AMENDING 68
O.S. 1981, SECTION 2407.1, AS LAST AMENDED BY
SECTION 2, CHAPTER 314, O.S.L. 1988 AND SECTION 90,
CHAPTER 162, O.S.L. 1988 (68 O.S. SUPP. 1990,
SECTIONS 2407.1 AND 2890), WHICH RELATE TO THE AD
VALOREM TAX CODE; MODIFYING ELIGIBILITY
REQUIREMENTS FOR ADDITIONAL HOMESTEAD EXEMPTION;
SPECIFYING YEARS FOR WHICH EXEMPTION ALLOWED;
DELETING CERTAIN PROVISION RELATED TO PROPERTY TAX
VALUATION; PROVIDING AN EFFECTIVE DATE; AND
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 68 O.S. 1981, Section 2407.1, as last amended by Section 2, Chapter 314, O.S.L. 1988 (68 O.S. Supp. 1990, Section 2407.1), is amended to read as follows:

Section 2407.1 A. In addition to the amount of the homestead exemption authorized and allowed in Sections 2406 through 2419 of this title, an additional exemption is hereby granted for calendar year 1991, to the extent of One Thousand Dollars (\$1,000.00) of the assessed valuation on each homestead of heads of households whose gross household income from all sources for the preceding calendar year did not exceed ~~Ten Thousand Dollars (\$10,000.00)~~ Fifteen Thousand Dollars (\$15,000.00). The term gross household income as used in this section means the gross amount of income of every type, regardless of the source, received by all persons occupying the same household, whether such income was taxable or nontaxable for federal or state income tax purposes, including pensions, annuities, federal Social Security, unemployment payments, veterans' disability compensation, public assistance payments, alimony, support money, workers' compensation, loss-of-time insurance payments, capital gains and any other type of income received, and excluding gifts. The term head of household as used in this section means a person who as owner or joint owner maintains a home and furnishes his own support for said home, furnishings, and other material necessities.

B. The application for such additional homestead exemption shall be made each year before March 15 or within thirty (30) days from and after receipt by the taxpayer of notice of valuation increase, whichever is later, and upon the form prescribed by the Oklahoma Tax Commission, which shall require the taxpayer to certify as to the amount of gross income. Upon request of the county assessor, the Tax Commission shall assist in verifying the correctness of the amount of said gross income.

C. For persons sixty-five (65) years of age or older as of March 15 and who have previously qualified for the additional

homestead exemption, no annual application shall be required in order to receive the exemption provided by this section; however, any person whose gross household income in any calendar year exceeds the amount specified in this section in order to qualify for the additional homestead exemption shall notify the county assessor and the additional exemption shall not be allowed for the applicable year. Any executor or administrator of an estate within which is included a homestead property exempt pursuant to the provisions of this section shall notify the county assessor of the change in status of the homestead property if such property is not the homestead of a person who would be eligible for the exemption provided by this section.

SECTION 2. AMENDATORY Section 90, Chapter 162, O.S.L. 1988 (68 O.S. Supp. 1990, Section 2890), is amended to read as follows:

Section 2890. A. In addition to the amount of the homestead exemption authorized and allowed in Section ~~§ 2889~~ of this ~~act~~ title, an additional exemption is hereby granted for calendar year 1992 and thereafter, to the extent of One Thousand Dollars (\$1,000.00) of the assessed valuation on each homestead of heads of households whose gross household income from all sources for the preceding calendar year did not exceed ~~Ten Thousand Dollars (\$10,000.00)~~. ~~If Article X, Section 8 of the Oklahoma Constitution requires property to be taxed based upon one hundred percent (100%) of its fair cash value each homestead, as authorized by the provisions of this section, shall be exempted from ad valorem taxation to the extent of Ten Thousand Dollars (\$10,000.00) of the assessed valuation~~ Fifteen Thousand Dollars (\$15,000.00).

B. The term gross household income as used in this section means the gross amount of income of every type, regardless of the source, received by all persons occupying the same household, whether such income was taxable or nontaxable for federal or state

income tax purposes, including pensions, annuities, federal Social Security, unemployment payments, veterans' disability compensation, public assistance payments, alimony, support money, workers' compensation, loss-of-time insurance payments, capital gains and any other type of income received, and excluding gifts. The term head of household as used in this section means a person who as owner or joint owner maintains a home and furnishes his own support for said home, furnishings, and other material necessities.

C. The application for such additional homestead exemption shall be made each year before March 15 or within thirty (30) days from and after receipt by the taxpayer of notice of valuation increase, whichever is later, and upon the form prescribed by the Oklahoma Tax Commission, which shall require the taxpayer to certify as to the amount of gross income. Upon request of the county assessor, the Oklahoma Tax Commission shall assist in verifying the correctness of the amount of said gross income.

D. For persons sixty-five (65) years of age or older as of March 15 and who have previously qualified for the additional homestead exemption, no annual application shall be required in order to receive the exemption provided by this section.

SECTION 3. Section 2 of this act shall become effective January 1, 1992.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.