

ENROLLED SENATE
BILL NO. 21

By: Williams (Penny), Campbell,
Cain, Shedrick and Leftwich
of the Senate

and

Blackburn, Satterfield,
Roach, Tyler, Seikel,
Peltier and Roberts of the
House

An Act relating to revenue and taxation;
amending 68 O.S. 1991, Section 2890, which
relates to ad valorem taxes; modifying amount of
gross household income for which additional
homestead exemption allowed on certain
homesteads; deleting obsolete language;
clarifying language; designating Oklahoma
Housing Finance Agency as state housing credit
agency for certain purposes and for certain time
period; granting certain authorization;
providing for governance of certain
applications; providing for codification; and
providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 1991, 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 title, an
additional exemption is hereby granted, 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 Twelve Thousand Dollars
(\$12,000.00).~~

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 or her 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; 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. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2384.1 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Housing Finance Agency shall be and is hereby designated as the state housing credit agency for purposes of Section 42 of the Internal Revenue Code of 1986, as amended, and any federal rules or regulations adopted pursuant to the authority of 26 U.S.C., Section 42. The provisions of this subsection shall supersede any other statute, rule, order or other provision of law.

B. The Oklahoma Housing Finance Agency shall be specifically authorized to adopt administrative rules for the implementation of a qualified allocation plan as required pursuant to 26 U.S.C., Section 42 and any federal rules or regulations adopted pursuant to the authority of that section. If prior to March 6, 1995, the Oklahoma Housing Finance Agency had rules in effect which were adopted in compliance with the Oklahoma Administrative Procedures Act, the provisions of those rules governing the allocation of federal income tax credits pursuant to 26 U.S.C., Section 42 shall be the legal and official rules of the Oklahoma Housing Finance Agency until those rules are modified or repealed pursuant to the Oklahoma Administrative Procedures Act.

C. The Oklahoma Housing Finance Agency is hereby declared to have been the lawfully designated state housing credit agency pursuant to the authority of 26 U.S.C., Section 42 and any federal rules or regulations adopted pursuant to the authority of that section from and after the date upon which Executive Order No. 86-44 was executed and issued until March 6, 1995.

SECTION 3. This act shall become effective January 1, 1996.
Passed the Senate the 25th day of May, 1995.

President of the Senate

Passed the House of Representatives the 25th day of May, 1995.

Speaker of the House of
Representatives