STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 3148 By: Bastin

AS INTRODUCED

An Act relating to revenue and taxation; amending 68 O.S. 1991, Sections 2889, as amended by Section 10, Chapter 304, O.S.L. 1997, and 2890, as amended by Section 2, Chapter 323, O.S.L. 1996 (68 O.S. Supp. 1997, Sections 2889 and 2890), which relate to homestead exemptions; increasing amount of homestead and additional homestead ad valorem tax exemption; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 1991, Section 2889, as amended by Section 10, Chapter 304, O.S.L. 1997 (68 O.S. Supp. 1997, Section 2889), is amended to read as follows:

Section 2889. Homesteads, as defined in Section 2888 of this title, are hereby classified for the purpose of taxation as provided in Section 22 of Article X of the Oklahoma Constitution. All homesteads in this state shall be assessed for taxation the same as other real property therein, except that each homestead, as defined by Section 2801 et seq. of this title, shall be exempted from all forms of ad valorem taxation to the extent of ~~One Thousand Dollars ($1,000.00)~~ Two Thousand Dollars ($2,000.00) of the assessed valuation.

SECTION 2. AMENDATORY 68 O.S. 1991, Section 2890, as amended by Section 2, Chapter 323, O.S.L. 1996 (68 O.S. Supp. 1997, 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)~~ Two Thousand Dollars ($2,000.00) 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 Twenty Thousand Dollars ($20,000.00).

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 support for the home, furnishings, and other material necessities.

C. The application for the 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 the 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~~. 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 3. This act shall become effective January 1, 1999.

46-2-8309 JAF