

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE  
FOR HOUSE JOINT  
RESOLUTION NO. 1048

By: Roach of the House

and

Muegge of the Senate

COMMITTEE SUBSTITUTE

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 8D to Article X; providing for maximum increase in certain ad valorem taxes for locally assessed real property; authorizing suspension of maximum limitation based upon certain elections; prescribing procedures; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 48TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 8D to Article X thereof, to read as follows:

Section 8D. A. Notwithstanding any other provision of law and except as otherwise provided by this section, and to provide the taxpayers of the State of Oklahoma with the protection of a truth-in-taxation feature, for the assessment year beginning January 1, 2003, and for each assessment year thereafter, the maximum amount of ad valorem taxes which may be levied against any locally assessed real property shall be equal to the ad valorem taxes levied against the property in the preceding assessment year plus one percent (1%).

B. For any assessment year beginning on or after January 1, 2003, the board of county commissioners may by a majority vote suspend the provisions of subsection A of this section and if such action is taken prior to the last authorized meeting date for the board of county commissioners in the month of April in any year, the provisions of this section shall not be applicable and all taxable locally assessed real property shall be subject to the full amount of ad valorem tax levies authorized by law.

C. For any assessment year beginning on or after January 1, 2003, the board of county commissioners may submit a question to the eligible voters of the county to suspend the provisions of subsection A of this section. Such election shall be conducted not later than the last Tuesday in April of any year. If such question is approved by a majority vote of those eligible voters of the county voting at the election, the provisions of this section shall not be applicable and all taxable locally assessed real property shall be subject to the full amount of ad valorem tax levies authorized by law.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It would add a new Section 8D to Article 10. It provides a "truth-in-taxation" clause for property tax. It would limit property tax increases for some kinds of real property. Property assessed by the county assessor would be subject to this limit. The limit would be based upon the property tax bill for this property from the prior year plus one percent. The limit could be suspended. The

board of county commissioners could vote to suspend the limit.

Voters of the county could vote to suspend the limit.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

48-2-8752

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