SB 964

THE STATE SENATE
Tuesday, February 19, 2002

Senate Bill No. 964

As Amended

SENATE BILL NO. 964 - By: WILLIAMS of the Senate and NATIONS, ROACH and EASLEY of the House.

[revenue and taxation - modify income level for homestead exemption -
effective date]

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

SECTION 1. AMENDATORY 68 O.S. 2001, 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 ~~Twenty Thousand Dollars ($20,000.00)~~ Thirty-five Thousand Dollars ($35,000.00).

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

(Bold face denotes Committee Amendments)

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, 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 2890.2 of Title 68, unless there is created a duplication in numbering, reads as follows:

Each county assessor shall annually notify taxpayers in the county of provisions of law which may operate to reduce the amount of ad valorem taxes due, including but not limited to:

1. Exemptions allowed pursuant to Section 2887 of Title 68 of the Oklahoma Statutes;

2. Homestead exemptions allowed pursuant to Section 2889 of Title 68 of the Oklahoma Statutes;

3. Additional homestead exemptions allowed pursuant to Section 2890 of Title 68 of the Oklahoma Statutes;

4. Property tax relief allowed pursuant to Sections 2904 through 2911 of Title 68 of the Oklahoma Statutes;

5. Exemptions allowed pursuant to Section 2949 of Title 68 of the Oklahoma Statutes; and

6. Limitations on the fair cash value of homestead property allowed pursuant to Section 8C of Article X of the Oklahoma Constitution.

Such notification shall be included in notices of assessed valuation, notices of amounts of ad valorem taxes due and other mailings by the county assessor. Such notification shall include qualifications and requirements for each type of ad valorem tax relief allowed and procedures and deadlines for applying for each type of tax relief and shall be written in language and printed in a type face which can be easily understood by taxpayers. The Oklahoma Tax Commission may develop a notice which meets the requirements of this section which may be used by county assessors.

SECTION 3. This act shall become effective January 1, 2003.

COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-12-02 - DO PASS, As Amended and Coauthored.