

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE JOINT  
RESOLUTION HJR1018

By: Dank

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to Sections 8B and 8C of Article X of the Constitution of the State of Oklahoma; providing a cap on valuation increases for certain persons; removing gross household income requirement for certain persons; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST 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 amendments to Section 8B of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 8B. Despite any provision to the contrary, the fair cash value of any parcel of locally assessed real property shall not increase by more than five percent (5%) in any taxable year and not by more than ten percent (10%) in any five-year period. The provisions of this section shall not apply in any year when title to the property is transferred, changed, or conveyed to another person or when improvements have been made to the property. If title to the property is transferred, changed, or conveyed to another person, the property shall be assessed for that year based on the fair cash value as set forth in Section 8 of Article X of this Constitution. If any improvements are made to the property, the increased value to the property as a result of the improvement shall be assessed for that year based on the fair cash value as set forth in Section 8 of

Article X of this Constitution. The provisions of this section shall be effective January 1, 1997, and thereafter for counties which are in compliance with the applicable law or administrative regulations governing valuation of locally assessed real property as of such date. For counties which are not in compliance with such law or regulations as of January 1, 1997, the provisions of this section shall be effective January 1 of the year following the date the county is deemed to be in compliance with such laws or regulations as provided by law. The provisions of this section shall not apply to any personal property which may be taxed ad valorem or any property which may be valued or assessed by the State Board of Equalization.

The Legislature shall enact any laws necessary to implement the provisions of this section.

SECTION 2. 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 amendments to Section 8C of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 8C. Despite any provision to the contrary, beginning January 1, ~~1997~~ 2003, the fair cash value, as determined by law, on each homestead of an individual head of household ~~whose gross household income from all sources for the preceding calendar year did not exceed Twenty five Thousand Dollars (\$25,000.00), and which individual head of household~~ who is sixty-five (65) years of age or older, shall not exceed the fair cash value placed upon the property during the first year in which the individual head of household was sixty-five (65) years of age or older ~~and had gross household income from all sources of Twenty five Thousand Dollars (\$25,000.00) or less.~~ Subject to the limitations of this section, the fair cash value shall not exceed such amount as long as the individual head of household who is sixty-five (65) years of age or older owns and occupies the property ~~and as long as the gross household income from~~

~~all sources does not exceed Twenty-five Thousand Dollars (\$25,000.00) in any calendar year.~~ If any improvements are made to the property, the fair cash value of the improvements shall be assessed in accordance with law by the county assessor and added to the assessed value of the property. Once the fair cash value of the improvements has been added to the fair cash value of the property, the total fair cash value shall not exceed the revised valuation of the property so long as the individual head of household who is sixty-five (65) years of age or older owns and occupies the property ~~and so long as the gross household income from all sources does not exceed Twenty-five Thousand Dollars (\$25,000.00) in a calendar year.~~ For any individual head of household who is sixty-five (65) years of age or older prior to January 1, ~~1997~~ 2003, ~~and has gross household income from all sources of Twenty-five Thousand Dollars (\$25,000.00) or less in calendar year 1996,~~ the fair cash value of the real property shall be the fair cash value placed upon the property on January 1, ~~1997~~ 2003. If the individual head of household ceases to own and occupy the property ~~or if the gross household income from all sources exceeds Twenty-five Thousand Dollars (\$25,000.00) in a calendar year,~~ the fair cash value of the property shall be determined as if the provisions of Section 8 of Article X of the Constitution of the State of Oklahoma or any other provisions relating to a limitation on the fair cash value of locally assessed real property had been in effect during the time the property was valued pursuant to the provisions of this section.

SECTION 3. 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 amends Section 8B of Article 10. This measure would limit increases on the fair cash value of real property. There could be no increase over ten percent (10%) in a five-year period.

SHALL THESE AMENDMENTS BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENTS

NO, AGAINST THE AMENDMENTS

SECTION 4. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 2 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 amends Section 8C of Article 10. Section 8C limits the fair cash value of certain property. The fair cash value of certain property owned by certain persons 65 years of age or older is limited. The person must also have a gross household income of \$25,000.00 or less. This measure does away with the income requirement.

SHALL THESE AMENDMENTS BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENTS

NO, AGAINST THE AMENDMENTS

SECTION 5. 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 Titles set forth in SECTIONS 3 and 4 hereof, with the Secretary of State and one copy with the Attorney General.

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