

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE JOINT
RESOLUTION HJR1021

By: Covey

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 6 of Article X of the Constitution of the State of Oklahoma; providing for the phase-in of an exemption of farm tractors or certain implements from ad valorem taxation on a county option basis; providing procedures for phase-in of the exemption; 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 amendment to Section 6 of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 6. ~~(a)~~ A. Except as otherwise provided in ~~subsection~~ ~~(b)~~ subsections B or C of this section, all property used for free public libraries, free museums, public cemeteries, property used exclusively for nonprofit schools and colleges, and all property used exclusively for religious and charitable purposes, and all property of the United States except property for which a federal agency obtains title through foreclosure, voluntary or involuntary liquidation or bankruptcy unless the taxation of such property is prohibited by federal law; all property of this state, and of counties and of municipalities of this state; household goods of the heads of families, tools, implements, and livestock employed in the support of the family, not exceeding One Hundred Dollars (\$100.00) in value, and all growing crops, shall be exempt from taxation: Provided, that all property not herein specified now exempt from

taxation under the laws of the Territory of Oklahoma, shall be exempt from taxation until otherwise provided by law.

All property owned by the Murrow Indian Orphan Home, located in Coal County, and all property owned by the Whitaker Orphan Home, located in Mayes County, so long as the same shall be used exclusively as free homes or schools for orphan children, and for poor and indigent persons, and all fraternal orphan homes, and other orphan homes, together with all their charitable funds, shall be exempt from taxation, and such property as may be exempt by reason of treaty stipulations, existing between the Indians and the United States government, or by federal laws, during the force and effect of such treaties or federal laws. The Legislature may authorize any incorporated city or town, by a majority vote of its electors voting thereon, to exempt manufacturing establishments and public utilities from municipal taxation, for a period not exceeding five (5) years, as an inducement to their location.

~~(b)~~ B. The board of county commissioners of any county may call a special election to determine whether or not household goods of the heads of families and livestock employed in support of the family located within the county shall be exempt from ad valorem taxation. Such an election shall also be called by the board upon petition signed by not less than twenty-five percent (25%) of the registered voters of the county. Upon passage of the question, the exemption provided for in this subsection shall become effective on January 1 of the following year.

C. The board of county commissioners of any county may call a special election to determine whether to phase in an exemption from ad valorem taxation for farm tractors or drawn or attachable implements over a four-year period. Such election shall also be called by the board of county commissioners upon a petition signed by not less than twenty-five percent (25%) of the registered voters of the county. Upon passage of the question, the first year of the

phase-in of the exemption provided for in this subsection shall become effective on January 1 of the following year. For the first year, farm tractors or drawn or attachable implements shall be valued at seventy-five percent (75%) of their fair cash value. In the second year, farm tractors or drawn or attachable implements shall be valued at fifty percent (50%) of their fair cash value. In the third year, farm tractors or drawn or attachable implements shall be valued at twenty-five percent (25%) of their fair cash value. In the fourth and subsequent years, farm tractors or drawn or attachable implements shall be exempt from ad valorem taxation.

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 Section 6 of Article 10 of the State Constitution. It gives counties the option of exempting farm tractors or drawn or attachable implements over a four-year period. The exemption would have to be approved at an election. The election could be called by the board of county commissioners on their own. The election could also be called by the board of county commissioners upon petition. The petition would have to be signed by at least 25% of the registered voters of the county. The exemption would be phased in over four years until the farm tractors or drawn or attachable implements are fully exempt.

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.

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