ENGROSSED HOUSE
JOINT
RESOLUTION NO. 1058

By: Wesselhoft, Banz, Nance, Morrissette, Terrill, Dank, Dorman, Rousselot, Lindley, Calvey, Liotta, Morgan (Fred), Perry and Braddock of the House

and

Leftwich of the Senate

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 8E of Article X of the Constitution of the State of Oklahoma; modifying provisions related to homestead exemption for certain disabled veterans; providing for homestead exemption amount based upon disability percentage; imposing certain limitations with respect to disability percentage; providing ballot title; and directing filing.

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 8E of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 8E. A. Despite any provision to the contrary, beginning January 1, 2006, for a person qualifying pursuant to paragraph 1 of this subsection, and beginning January 1, 2007, for a person qualifying pursuant to paragraph 2 of this subsection, each head of household who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs or its successor to have a ~~one~~:

1. One hundred percent ~~(100%)~~ permanent disability sustained through military action or accident or resulting from disease contracted while in such active service or the surviving spouse of

such head of household, if the spouse has not remarried, or if remarried, the remarriage is terminated by death, divorce or annulment shall be entitled to claim an exemption for the full amount of the fair cash value of the homestead; or

2. Percentage permanent disability, greater than fifty percent, but less than one hundred percent, sustained through military action or accident or resulting from disease contracted while in such service or the surviving spouse of such head of household, if the spouse has not remarried, or if remarried, the remarriage is terminated by death, divorce or annulment shall be entitled to claim an exemption determined by multiplying the percentage of disability by the fair cash value of the homestead.

B. In order to be eligible for the exemption authorized by this section, the individual shall be required to prove residency within the State of Oklahoma and must have previously qualified for the homestead exemption authorized by law or be eligible for the homestead exemption pursuant to 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 amends Section 8E of Article 10. There is an exemption for certain disabled veterans. Veterans who are totally disabled may have this exemption. This exemption is for the full amount of the homestead value. This measure would allow other disabled veterans to have an exemption. The veterans could be more than fifty percent disabled. The veterans would have to be less than one hundred percent disabled. The amount of the exemption would be based upon the percentage of disability. The exemption would

also be available to a surviving spouse. The surviving spouse would not be able to keep the exemption after remarriage unless that marriage ended because of death, divorce or annulment. This change would be effective beginning January 1, 2007.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

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.

Passed the House of Representatives the 15th day of March, 2006.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2006.

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Presiding Officer of the Senate