

EHJR 1058

1 THE STATE SENATE  
2 Monday, April 10, 2006

3 ENGROSSED

4 House Joint

5 Resolution No. 1058

6 As Amended

7 ENGROSSED HOUSE JOINT RESOLUTION NO. 1058 - By: WESSELHOFT, BANZ,  
8 NANCE, MORRISSETTE, TERRILL, DANK, DORMAN, ROUSSELOT, LINDLEY,  
9 CALVEY, LIOTTA, MORGAN (Fred), PERRY, BRADDOCK, BRANNON and SMITHSON  
10 of the House and LEFTWICH of the Senate.

11 [ constitutional amendment - disabled veterans - homestead  
12 exemption - ballot title - filing ]

13 SECTION 1. The Secretary of State shall refer to the people for  
14 their approval or rejection, as and in the manner provided by law,  
15 the following proposed amendment to Section 8E of Article X of the  
16 Constitution of the State of Oklahoma to read as follows:

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

1        1. One hundred percent (~~100%~~) permanent disability sustained  
2 through military action or accident or resulting from disease  
3 contracted while in such active service or the surviving spouse of  
4 such head of household, if the spouse has not remarried, or if  
5 remarried, the remarriage is terminated by death, divorce or  
6 annulment shall be entitled to claim an exemption for the full  
7 amount of the fair cash value of the homestead; or

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

16        B. In order to be eligible for the exemption authorized by this  
17 section, the individual shall be required to prove residency within  
18 the State of Oklahoma and must have previously qualified for the  
19 homestead exemption authorized by law or be eligible for the  
20 homestead exemption pursuant to law.

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

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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

1 SECTION 2 hereof, with the Secretary of State and one copy with the  
2 Attorney General.  
3 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 4-4-06 - DO PASS,  
4 As Amended and Coauthored.