

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE JOINT  
6 RESOLUTION NO. 1023

By: Wesselhoft

7 COMMITTEE SUBSTITUTE

8 ( proposed amendment to 8E of Article X of the  
9 Constitution of the State of Oklahoma - homestead  
10 exemption for certain disabled veterans - ballot  
11 title -

12 filing )

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16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
17 1ST SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

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

22 Section 8E. A. Despite any provision to the contrary,  
23 beginning January 1, 2006, for a person qualifying pursuant to  
24 paragraph 1 of this subsection, and beginning January 1, 2009, for a

1 person qualifying pursuant to paragraph 2 of this subsection, each  
2 head of household who has been honorably discharged from active  
3 service in any branch of the Armed Forces of the United States or  
4 Oklahoma National Guard and who has been certified by the United  
5 States Department of Veterans Affairs or its successor to have a  
6 one:

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

14 2. Permanent disability and be in receipt of disability  
15 compensation at equal to or greater than fifty percent (50%), but  
16 less than one hundred percent (100%), sustained through military  
17 action or accident or resulting from disease contracted while in  
18 such service or the surviving spouse of such head of household, if  
19 the spouse has not remarried, or if remarried, the remarriage is  
20 terminated by death, divorce or annulment, shall be entitled to  
21 claim an exemption determined by multiplying the percentage of  
22 disability compensation by the fair cash value of the homestead.

23 B. In order to be eligible for the exemption authorized by this  
24 section, the individual shall be required to prove residency within

1 the State of Oklahoma and must have previously qualified for the  
2 homestead exemption authorized by law or be eligible for the  
3 homestead exemption pursuant to law.

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

7 BALLOT TITLE

8 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

9 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

10 This measure amends the Oklahoma Constitution. It amends  
11 Section 8E of Article 10. There is an exemption for certain  
12 disabled veterans. Veterans who are totally disabled may have  
13 this exemption. This exemption is for the full amount of the  
14 homestead value. This measure would allow other disabled  
15 veterans to have an exemption. The veterans could be fifty  
16 percent or more disabled. The veterans would have to be less  
17 than one hundred percent disabled. The amount of the exemption  
18 would be based upon the percentage of disability. The exemption  
19 would also be available to a surviving spouse. The surviving  
20 spouse would not be able to keep the exemption after remarriage  
21 unless that marriage ended because of death, divorce or  
22 annulment. This change would be effective beginning January 1,  
23 2009.

24 SHALL THE PROPOSAL BE APPROVED?

1 FOR THE PROPOSAL - YES \_\_\_\_\_

2 AGAINST THE PROPOSAL - NO \_\_\_\_\_

3 SECTION 3. The Chief Clerk of the House of Representatives,  
4 immediately after the passage of this resolution, shall prepare and  
5 file one copy thereof, including the Ballot Title set forth in  
6 SECTION 2 hereof, with the Secretary of State and one copy with the  
7 Attorney General.

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9 51-1-7523 LRB 03/06/07

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