

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE JOINT
6 RESOLUTION NO. 1028

By: Dank

7 COMMITTEE SUBSTITUTE

8 (proposed amendment to Section 8C of Article X of
9 the Constitution of the State of Oklahoma -
10 qualifying income - ballot title -

11 filing)
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15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
16 1ST SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

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

21 Section 8C. ~~A.~~ Despite any provision to the contrary,
22 beginning January 1, ~~2005~~ 2009, the fair cash value, as determined
23 by law, on each homestead of an individual head of household ~~whose~~
24 ~~gross household income from all sources for the preceding calendar~~

1 ~~year did not exceed an amount as provided in subsection B of this~~
2 ~~section, and~~ which individual head of household is sixty-five (65)
3 years of age or older, shall not exceed the fair cash value placed
4 upon the property during the first year in which the individual head
5 of household was sixty-five (65) years of age or older ~~and had gross~~
6 ~~household income from all sources which did not exceed an amount as~~
7 ~~provided in subsection B of this section.~~ Subject to the
8 limitations of this section, the fair cash value shall not exceed
9 such amount as long as the individual head of household who is
10 sixty-five (65) years of age or older owns and occupies the property
11 ~~and as long as the gross household income from all sources does not~~
12 ~~exceed an amount as provided in subsection B of this section.~~ If
13 any improvements are made to the property, the fair cash value of
14 the improvements shall be assessed in accordance with law by the
15 county assessor and added to the assessed value of the property.
16 Once the fair cash value of the improvements has been added to the
17 fair cash value of the property, the total fair cash value shall not
18 exceed the revised valuation of the property so long as the
19 individual head of household who is sixty-five (65) years of age or
20 older owns and occupies the property ~~and so long as the gross~~
21 ~~household income from all sources does not exceed an amount as~~
22 ~~provided in subsection B of this section.~~ For any individual head
23 of household who is sixty-five (65) years of age or older prior to
24 January 1, 1997, and has gross household income from all sources of

1 Twenty-five Thousand Dollars (\$25,000.00) or less in calendar year
2 1996, the fair cash value of the real property shall be the fair
3 cash value placed upon the property on January 1, 1997. If the
4 individual head of household ceases to own and occupy the property
5 ~~or if the gross household income from all sources exceeds an amount~~
6 ~~as provided in subsection B of this section,~~ the fair cash value of
7 the property shall be determined as if the provisions of Section 8
8 of Article X of the Constitution of the State of Oklahoma or any
9 other provisions relating to a limitation on the fair cash value of
10 locally assessed real property had been in effect during the time
11 the property was valued pursuant to the provisions of this section.

12 ~~B. The income threshold for the gross household income from all~~
13 ~~sources for an individual head of household under this section shall~~
14 ~~not exceed the amount determined by the United States Department of~~
15 ~~Housing and Urban Development to be the estimated median income for~~
16 ~~the preceding year for the county or metropolitan statistical area~~
17 ~~which includes such county. The Oklahoma Tax Commission shall~~
18 ~~provide such information to each county assessor each year as soon~~
19 ~~as such information becomes available.~~

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

23 BALLOT TITLE
24 Legislative Referendum No. _____ State Question No. _____

1 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

2 This measure amends the Oklahoma Constitution. It amends
3 Section 8C of Article 10. Persons aged 65 or older who own a
4 homestead can qualify for a property tax benefit. A homestead
5 owned by such persons will not be subject to increases in value
6 for property tax purposes. This value is known as fair cash
7 value. The law limits the amount of income persons may have in
8 order to qualify for this benefit. This measure would allow any
9 person age 65 or older regardless of income to have this
10 benefit. The homestead of these persons would not be subject to
11 any further increases in fair cash value. This change would
12 become effective January 1, 2009.

13 SHALL THE PROPOSAL BE APPROVED?

14 FOR THE PROPOSAL - YES _____

15 AGAINST THE PROPOSAL - NO _____

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

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22 51-1-7522 LRB 03/06/07

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