

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE JOINT  
4 RESOLUTION 1061

By: Inman

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection a proposed amendment to Section 8C of  
10 Article X of the Constitution of the State of  
11 Oklahoma; expanding property tax exemption for  
12 certain Oklahomans; removing income-based eligibility  
13 limitation; providing ballot title; and directing  
14 filing.

15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
16 2ND 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~~  
~~year did not exceed an amount as provided in subsection B of this~~

1 ~~section, and which individual head of household~~ who is sixty-five  
2 (65) years of age or older, shall not exceed the fair cash value  
3 placed upon the property during the first year in which the  
4 individual head of household was sixty-five (65) years of age or  
5 older ~~and had gross household income from all sources which did not~~  
6 ~~exceed an amount as provided in subsection B of this section.~~  
7 Subject to the limitations of this section, the fair cash value  
8 shall not exceed such amount as long as the individual head of  
9 household who is sixty-five (65) years of age or older owns and  
10 occupies the property ~~and as long as the gross household income from~~  
11 ~~all sources does not exceed an amount as provided in subsection B of~~  
12 ~~this section.~~ If any improvements are made to the property, the  
13 fair cash value of the improvements shall be assessed in accordance  
14 with law by the county assessor and added to the assessed value of  
15 the property. Once the fair cash value of the improvements has been  
16 added to the fair cash value of the property, the total fair cash  
17 value shall not exceed the revised valuation of the property so long  
18 as the individual head of household who is sixty-five (65) years of  
19 age or older owns and occupies the property ~~and so long as the gross~~  
20 ~~household income from all sources does not exceed an amount as~~  
21 ~~provided in subsection B of this section.~~ For any individual head  
22 ~~of household who is sixty five (65) years of age or older prior to~~  
23 ~~January 1, 1997, and has gross household income from all sources of~~  
24 ~~Twenty five Thousand Dollars (\$25,000.00) or less in calendar year~~

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

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

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

22 BALLLOT TITLE  
23 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

24 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

12 SHALL THE PROPOSAL BE APPROVED?

13 FOR THE PROPOSAL - YES \_\_\_\_\_

14 AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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21 51-2-9285 CJB 01/09/08  
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