

1 ENGROSSED HOUSE
JOINT
2 RESOLUTION NO. 1026

By: Schwartz, Dorman, Thompson,
Smithson and Inman of the
House

4 and

5 Sparks of the Senate

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8 A Joint Resolution directing the Secretary of State
to refer to the people for their approval or
9 rejection a proposed amendment to Section 8D of
Article X of the Constitution of the State of
10 Oklahoma; modifying provisions related to personal
property exemption for disabled veterans; providing
11 exempt treatment for certain manufactured homes;
authorizing surviving spouse to claim exemption for
12 certain manufactured homes; providing ballot title;
and directing filing.
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15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
16 1ST SESSION OF THE 52ND 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 8D of Article X of the
20 Constitution of the State of Oklahoma to read as follows:

21 Section 8D. A. Despite any provision to the contrary,
22 beginning January 1, 2009, each head of household who has been
23 honorably discharged from active service in any branch of the Armed
24 Forces of the United States or Oklahoma National Guard and who has

1 | been certified by the United States Department of Veterans Affairs
2 | or its successor to have a one-hundred-percent (100%) permanent
3 | disability sustained through military action or accident or
4 | resulting from disease contracted while in such active service or
5 | the surviving spouse of such head of household shall be entitled to
6 | claim an exemption for the full amount of all household personal
7 | property which is subject to ad valorem taxation and which is not
8 | subject to any form of taxation in lieu of ad valorem taxation.

9 | B. Beginning January 1, 2011, a disabled veteran meeting the
10 | qualifications described in subsection A of this section shall be
11 | entitled to claim a homestead exemption for the full amount of a
12 | manufactured home owned and occupied by the disabled veteran as his
13 | or her principal residence whether or not such manufactured home is
14 | located on real property owned by such disabled veteran. A
15 | surviving spouse of a person eligible for the exemption provided by
16 | this subsection shall be entitled to the exemption if the surviving
17 | spouse occupies the manufactured home as his or her principal
18 | residence whether or not such manufactured home is located on real
19 | property owned by such surviving spouse.

20 | C. In order to be eligible for the exemption authorized by this
21 | section, the individual shall be required to prove residency within
22 | the State of Oklahoma.

23 | ~~C.~~ D. The Legislature shall be authorized to enact such laws as
24 | may be necessary in order to implement the exemption provided by

1 this section; however, the exemption amount shall not be subject to
2 modification by such enactments and shall be for the full amount of
3 the valuation of any ~~household~~ personal property as otherwise
4 prescribed by this section.

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

8 BALLOT TITLE

9 Legislative Referendum No. _____ State Question No. _____

10 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

11 This measure amends the Oklahoma Constitution. It amends Section
12 8D of Article 10. The change would allow a veteran who is
13 totally disabled to claim an exemption for a manufactured home.
14 The manufactured home would be exempt even if it is located on
15 land the veteran did not own. If the veteran died, the
16 surviving spouse of that veteran would be able to claim the
17 exemption also. The surviving spouse could claim the exemption
18 even if the home was located on land the surviving spouse did
19 not own.

20 SHALL THE PROPOSAL BE APPROVED?

21 FOR THE PROPOSAL - YES _____

22 AGAINST THE PROPOSAL - NO _____

23 SECTION 3. The Chief Clerk of the House of Representatives,
24 immediately after the passage of this resolution, shall prepare and

1 file one copy thereof, including the Ballot Title set forth in
2 SECTION 2 hereof, with the Secretary of State and one copy with the
3 Attorney General.

4 Passed the House of Representatives the 11th day of March, 2009.

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7 Presiding Officer of the House of
8 Representatives

9 Passed the Senate the ____ day of _____, 2009.

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Presiding Officer of the Senate

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