

THE HOUSE OF REPRESENTATIVES  
Monday, February 23, 2009

House Joint  
Resolution No. 1026

HOUSE JOINT RESOLUTION NO. 1026 - By: SCHWARTZ, DORMAN AND THOMPSON of the House.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 8D of Article X of the Constitution of the State of Oklahoma; modifying provisions related to personal property exemption for disabled veterans; providing exempt treatment for certain manufactured homes; authorizing surviving spouse to claim exemption for certain manufactured homes; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

1 SECTION 1. The Secretary of State shall refer to the people for their approval or  
2 rejection, as and in the manner provided by law, the following proposed amendment to  
3 Section 8D of Article X of the Constitution of the State of Oklahoma to read as follows:  
4 Section 8D. A. Despite any provision to the contrary, beginning January 1, 2009,  
5 each head of household who has been honorably discharged from active service in any  
6 branch of the Armed Forces of the United States or Oklahoma National Guard and who  
7 has been certified by the United States Department of Veterans Affairs or its successor to  
8 have a one-hundred-percent (100%) permanent disability sustained through military

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1 action or accident or resulting from disease contracted while in such active service or the  
2 surviving spouse of such head of household shall be entitled to claim an exemption for  
3 the full amount of all household personal property which is subject to ad valorem  
4 taxation and which is not subject to any form of taxation in lieu of ad valorem taxation.

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

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

16 ~~C.~~ D. The Legislature shall be authorized to enact such laws as may be necessary  
17 in order to implement the exemption provided by this section; however, the exemption  
18 amount shall not be subject to modification by such enactments and shall be for the full  
19 amount of the valuation of any household personal property as otherwise prescribed by  
20 this section.

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

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 8D of Article 10. The change would allow a veteran who is totally disabled to claim an exemption for a manufactured home. The manufactured home would be exempt even if it is located on land the veteran did not own. If the veteran died, the surviving spouse of that veteran would be able to claim the exemption also. The surviving spouse could claim the exemption even if the home was located on land the surviving spouse did not own.

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 SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02-19-09 - DO PASS, As Coauthored.