

EHJR 1026

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

THE STATE SENATE
Monday, April 6, 2009

ENGROSSED
House Joint
Resolution No. 1026
As Amended

ENGROSSED HOUSE JOINT RESOLUTION NO. 1026 - By: Schwartz, Dorman,
Thompson, Smithson and Inman of the House and Sparks of the Senate.

[Constitutional amendment - modifying provisions -
personal property exemption - disabled veterans -
manufactured homes exemption - ballot title - filing]

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

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

Section 8D. A. Despite any provision to the contrary,
beginning January 1, 2009, each head of household who has been
honorably discharged from active service in any branch of the Armed
Forces of the United States or Oklahoma National Guard and who has
been certified by the United States Department of Veterans Affairs
or its successor to have a one-hundred-percent (100%) permanent
disability sustained through military action or accident or

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

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

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

20 ~~E.~~ D. The Legislature shall be authorized to enact such laws as
21 may be necessary in order to implement the exemption provided by
22 this section; however, the exemption amount shall not be subject to
23 modification by such enactments and shall be for the full amount of

1 the valuation of any ~~household~~ personal property as otherwise
2 prescribed by this section.

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

6 BALLOT TITLE

7 Legislative Referendum No. _____ State Question No. _____

8 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

18 SHALL THE PROPOSAL BE APPROVED?

19 FOR THE PROPOSAL - YES _____

20 AGAINST THE PROPOSAL - NO _____

21 SECTION 3. The Chief Clerk of the House of Representatives,
22 immediately after the passage of this resolution, shall prepare and
23 file one copy thereof, including the Ballot Title set forth in

1 SECTION 2 hereof, with the Secretary of State and one copy with the
2 Attorney General.
3 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 3-31-09 - DO PASS,
4 As Amended.