

SB 330

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THE STATE SENATE
Tuesday, February 10, 2009

Senate Bill No. 330
As Amended

SENATE BILL NO. 330 - By: Burrage of the Senate and Sherrer of the House.

[revenue and taxation - modifying eligibility for personal property tax - effective date]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 68 O.S. 2001, Section 2949, as amended by Section 13, Chapter 447, O.S.L. 2004 (68 O.S. Supp. 2008, Section 2949), is amended to read as follows:

Section 2949. A. Beginning with the year 1990 and for each year thereafter, any person sixty-two (62) years of age or older, who is the head of a household, is a resident of and is domiciled in this state during the entire preceding calendar year, whose gross household income for the preceding year did not exceed ~~Ten Thousand Dollars (\$10,000.00)~~ the greater of Twenty-two Thousand Dollars (\$22,000.00) or fifty percent (50%) of the median income for the county or metropolitan statistical area which includes such county in which the person is domiciled and owns and resides in a manufactured home which is located on land not owned by the owner of the manufactured home may receive an exemption on the manufactured home in an amount equal to Two Thousand Dollars (\$2,000.00).

1 B. The application for the exemption provided by this section
2 shall be made each year on or before March 15 or within thirty (30)
3 days from and after the receipt by the taxpayer of notice of
4 valuation increase, whichever is later and upon the form prescribed
5 by the Oklahoma Tax Commission, which shall require the taxpayer to
6 certify as to the amount of gross income. Upon request of the
7 county assessor, the Tax Commission shall assist in verifying the
8 correctness of the amount of said gross income. The form prescribed
9 by the Oklahoma Tax Commission pursuant to this section shall state
10 in bold letters that the form is to be returned to the county
11 assessor of the county in which the manufactured home is located.

12 C. For persons sixty-five (65) years of age or older as of
13 March 15 and who have previously qualified for the exemption
14 provided by this section, no annual application shall be required in
15 order to receive the exemption provided by this section; however,
16 any person whose gross household income in any calendar year exceeds
17 the amount specified in this section in order to qualify for the
18 exemption provided by this section shall notify the county assessor
19 and the exemption shall not be allowed for the applicable year. Any
20 executor or administrator of an estate within which is included a
21 homestead property exempt pursuant to the provisions of this section
22 shall notify the county assessor of the change in status of the

1 homestead property if such property is not the homestead of a person
2 who would be eligible for the exemption provided by this section.

3 D. As used in this section:

4 1. "Gross household income" means the gross amount of income of
5 every type, regardless of the source, received by all persons
6 occupying the same household, whether such income was taxable or
7 nontaxable for federal or state income tax purposes, including
8 pensions, annuities, federal Social Security, unemployment payments,
9 veterans' disability compensation, public assistance payments,
10 alimony, support money, workers' compensation, loss-of-time
11 insurance payments, capital gains and any other type of income
12 received, and excluding gifts; and

13 2. "Head of household" means a person who as owner or joint
14 owner maintains a home and furnishes the support for said home,
15 furnishings, and other material necessities.

16 3. "Median income for the county" is the amount determined by
17 the United States Department of Housing and Urban Development for
18 the preceding year to be the estimated median income for the county
19 or metropolitan statistical area which includes such county in which
20 the manufactured home is located.

21 SECTION 2. This act shall become effective January 1, 2010.

22 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-3-09 - DO PASS,
23 As Amended and Coauthored.