

THE STATE SENATE
Monday, February 22, 2010

Committee Substitute for
Senate Joint
Resolution No. 57

COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 57 - By:
Reynolds of the Senate and Dank of the House.

[Joint Resolution - modifying provisions - directing
filing]

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2ND 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 8C of Article X of the
Oklahoma Constitution to read as follows:

Section 8C. ~~A.~~ Despite any provision to the contrary,
beginning January 1, ~~2005~~ 2011, the fair cash value, as determined
by law, on each homestead of an individual head of household ~~whose~~
~~gross household income from all sources for the preceding calendar~~
~~year did not exceed an amount as provided in subsection B of this~~
~~section, and~~ which individual head of household is sixty-five (65)
years of age or older, shall not exceed the fair cash value placed
upon the property during the first year in which the individual head
of household was sixty-five (65) years of age or older ~~and had gross~~

1 ~~household income from all sources which did not exceed an amount as~~
2 ~~provided in subsection B of this section.~~ Subject to the
3 limitations of this section, the fair cash value shall not exceed
4 such amount as long as the individual head of household who is
5 sixty-five (65) years of age or older owns and occupies the property
6 ~~and as long as the gross household income from all sources does not~~
7 ~~exceed an amount as provided in subsection B of this section.~~ If
8 any improvements are made to the property, the fair cash value of
9 the improvements shall be assessed in accordance with law by the
10 county assessor and added to the assessed value of the property.
11 Once the fair cash value of the improvements has been added to the
12 fair cash value of the property, the total fair cash value shall not
13 exceed the revised valuation of the property so long as the
14 individual head of household who is sixty-five (65) years of age or
15 older owns and occupies the property ~~and so long as the gross~~
16 ~~household income from all sources does not exceed an amount as~~
17 ~~provided in subsection B of this section.~~ For any individual head
18 of household who is sixty-five (65) years of age or older prior to
19 January 1, 1997, and has gross household income from all sources of
20 Twenty-five Thousand Dollars (\$25,000.00) or less in calendar year
21 1996, the fair cash value of the real property shall be the fair
22 cash value placed upon the property on January 1, 1997. If the
23 individual head of household ceases to own and occupy the property

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

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

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

19 BALLLOT TITLE
20 Legislative Referendum No. _____ State Question No. _____

21 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

22 This measure amends the Oklahoma Constitution. It amends
23 Section 8C of Article 10. Persons aged 65 or older who own a

1 homestead can qualify for a property tax benefit. A homestead
2 owned by such persons will not be subject to increases in value
3 for property tax purposes. This value is known as fair cash
4 value. The law limits the amount of income persons may have in
5 order to qualify for this benefit. This measure would allow any
6 person age 65 or older regardless of income to have this
7 benefit. The homestead of these persons would not be subject to
8 any further increases in fair cash value. This change would
9 become effective January 1, 2011.

10 SHALL THE PROPOSAL BE APPROVED?

11 FOR THE PROPOSAL - YES _____

12 AGAINST THE PROPOSAL - NO _____

13 SECTION 3. The President Pro Tempore of the Senate shall,
14 immediately after the passage of this resolution, prepare and file
15 one copy thereof, including the Ballot Title set forth in SECTION 2
16 hereof, with the Secretary of State and one copy with the Attorney
17 General.

18 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-16-10 - DO PASS,
19 As Amended and Coauthored.