

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE JOINT  
4 RESOLUTION 1026

By: Schwartz

5  
6 AS INTRODUCED

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

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20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
21 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

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

26 Section 8D. A. Despite any provision to the contrary,  
27 beginning January 1, 2009, each head of household who has been  
28 honorably discharged from active service in any branch of the Armed  
29 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.

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5 52-1-5674 MAH 01/12/09

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