

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT  
4 RESOLUTION 1027

By: Rousselot

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6  
7 AS INTRODUCED

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 8C of  
11 Article X of the Constitution of the State of  
12 Oklahoma; modifying date reference; providing ballot  
13 title; and directing filing.

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
15 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

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

20 Section 8C. ~~A.~~ Despite any provision to the contrary,  
21 beginning January 1, ~~2005~~ 2011, the fair cash value, as determined  
22 by law, on each homestead of an individual head of household whose  
23 gross household income from all sources for the preceding calendar  
24 year did not exceed an amount as provided in subsection B of this

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

1 1996, the fair cash value of the real property shall be the fair  
2 cash value placed upon the property on January 1, 1997. If the  
3 individual head of household ceases to own and occupy the property  
4 or if the gross household income from all sources exceeds an amount  
5 as provided in subsection B of this section, the fair cash value of  
6 the property shall be determined as if the provisions of Section 8  
7 of Article X of the Constitution of the State of Oklahoma or any  
8 other provisions relating to a limitation on the fair cash value of  
9 locally assessed real property had been in effect during the time  
10 the property was valued pursuant to the provisions of this section.

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

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

22 BALLOT TITLE

23 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

24 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

1 This measure amends the Oklahoma Constitution. It amends  
2 Section 8C of Article 10. This section relates to property  
3 taxes. It changes a date reference.

4 SHALL THE PROPOSAL BE APPROVED?

5 FOR THE PROPOSAL - YES \_\_\_\_\_

6 AGAINST THE PROPOSAL - NO \_\_\_\_\_

7 SECTION 3. The Chief Clerk of the House of Representatives,  
8 immediately after the passage of this resolution, shall prepare and  
9 file one copy thereof, including the Ballot Title set forth in  
10 SECTION 2 hereof, with the Secretary of State and one copy with the  
11 Attorney General.

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