

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT  
4 RESOLUTION 1045

By: Nelson

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection a proposed amendment to Section 8B of  
10 Article X of the Constitution of the State of  
11 Oklahoma; modifying provisions related to maximum  
12 increases in value for certain locally assessed  
13 properties; providing ballot title; and directing  
14 filing.

15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
16 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

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

21 Section 8B. A. Despite any provision to the contrary, the fair  
22 cash value of any parcel of locally assessed real property shall not  
23 increase by more than ~~five percent (5%)~~ three percent (3%) in any  
24 taxable year. The provisions of this section shall not apply in any  
year when title to the property is transferred, changed, or conveyed

1 to another person or when improvements have been made to the  
2 property. If title to the property is transferred, changed, or  
3 conveyed to another person, the property shall be assessed for that  
4 year based on the fair cash value as set forth in Section 8 of  
5 Article X of this Constitution. If any improvements are made to the  
6 property, the increased value to the property as a result of the  
7 improvement shall be assessed for that year based on the fair cash  
8 value as set forth in Section 8 of Article X of this Constitution.  
9 The provisions of this section shall be effective January 1, 1997,  
10 and thereafter for counties which are in compliance with the  
11 applicable law or administrative regulations governing valuation of  
12 locally assessed real property as of such date. For counties which  
13 are not in compliance with such law or regulations as of January 1,  
14 1997, the provisions of this section shall be effective January 1 of  
15 the year following the date the county is deemed to be in compliance  
16 with such laws or regulations as provided by law. The provisions of  
17 this section shall not apply to any personal property which may be  
18 taxed ad valorem or any property which may be valued or assessed by  
19 the State Board of Equalization.

20 B. The Legislature shall enact any laws necessary to implement  
21 the provisions of this section.

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

BALLOT TITLE

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

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 8B of Article 10. This section is related to property taxes. The county assessor must determine a fair market value for certain kinds of property each year. These properties are known as locally assessed properties. The law does not allow the fair market value for these properties to increase by more than five percent (5%) each year for purposes of property tax. This measure would change that limit to three percent (3%). This change would become effective on January 1, 2011.

SHALL THE PROPOSAL BE APPROVED?

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

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

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

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