

1 STATE OF OKLAHOMA

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

3 SENATE JOINT  
4 RESOLUTION 7

By: Leftwich

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 Oklahoma Constitution; limiting  
11 increases in fair cash value of certain property  
12 after specified date; deleting obsolete language;  
13 providing ballot title; directing filing; and  
14 providing for special election.

15 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES 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 Oklahoma Constitution to read as follows:

21 Section 8B. Despite any provision to the contrary, on and after  
22 January 1, 2010, any increase to the fair cash value of any parcel  
23 of locally assessed real property shall not increase by more than  
24 five percent (5%) three percent (3%) in any taxable year. The  
provisions of this section shall not apply in any year when title to  
the property is transferred, changed, or conveyed to another person

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

20 The Legislature shall enact any laws necessary to implement the  
21 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 State Constitution. It amends Section 8B of Article 10. This measure affects the way changes to the fair cash value of some real property are made. It prevents the value from changing in any one year by more than 3%. It also removes obsolete language from the law.

SHALL THE PROPOSAL BE APPROVED?

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

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

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, 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.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on or before December 15, 2009, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.