ENROLLED SENATE
BILL NO. 1449

By: Brinkley of the Senate

and

Derby of the House

<StartFT>An Act relating to ad valorem tax; amending 68 O.S. 2011, Section 2949, which relates to exemptions; modifying income threshold for certain exemption after specified date; and providing an effective date.

SUBJECT: Ad valorem tax

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 68 O.S. 2011, Section 2949, is amended to read as follows:

Section 2949. A. 1. Beginning with the year 1990 and ~~for each year thereafter~~ through the year 2012, any person sixty-two (62) years of age or older, who is the head of a household, is a resident of and is domiciled in this state during the entire preceding calendar year, whose gross household income for the preceding year did not exceed Ten Thousand Dollars ($10,000.00) and owns and resides in a manufactured home which is located on land not owned by the owner of the manufactured home may receive an exemption on the manufactured home in an amount equal to Two Thousand Dollars ($2,000.00).

2. For years beginning after December 31, 2012, any person sixty-two (62) years of age or older, who is the head of a household, is a resident of and is domiciled in this state during

the entire preceding calendar year and owns and resides in a manufactured home which is located on land not owned by the owner of the manufactured home, may receive an exemption on the manufactured home in an amount equal to Two Thousand Dollars ($2,000.00) if the person's gross household income for the preceding year did not exceed the greater of Twenty-two Thousand Dollars ($22,000.00) or fifty percent (50%) of the amount determined by the United States Department of Housing and Urban Development to be the estimated median income for the preceding year for the county or metropolitan statistical area which includes the county in which the claimant's property is located.

B. The application for the exemption provided by this section shall be made each year on or before March 15 or within thirty (30) days from and after the receipt by the taxpayer of notice of valuation increase, whichever is later and upon the form prescribed by the Oklahoma Tax Commission, which shall require the taxpayer to certify as to the amount of gross income. Upon request of the county assessor, the Tax Commission shall assist in verifying the correctness of the amount of said gross income. The form prescribed by the ~~Oklahoma~~ Tax Commission pursuant to this section shall state in bold letters that the form is to be returned to the county assessor of the county in which the manufactured home is located.

C. For persons sixty-five (65) years of age or older as of March 15 and who have previously qualified for the exemption provided by this section, no annual application shall be required in order to receive the exemption provided by this section; however, any person whose gross household income in any calendar year exceeds the amount specified in this section in order to qualify for the exemption provided by this section shall notify the county assessor and the exemption shall not be allowed for the applicable year. Any executor or administrator of an estate within which is included a homestead property exempt pursuant to the provisions of this section shall notify the county assessor of the change in status of the homestead property if such property is not the homestead of a person who would be eligible for the exemption provided by this section.

D. As used in this section:

1. "Gross household income" means the gross amount of income of every type, regardless of the source, received by all persons

occupying the same household, whether such income was taxable or nontaxable for federal or state income tax purposes, including pensions, annuities, federal Social Security, unemployment payments, veterans' disability compensation, public assistance payments, alimony, support money, workers' compensation, loss-of-time insurance payments, capital gains and any other type of income received, and excluding gifts; and

2. "Head of household" means a person who as owner or joint owner maintains a home and furnishes the support for said home, furnishings, and other material necessities.

SECTION 2. This act shall become effective January 1, 2013.

Passed the Senate the 9th day of May, 2012.

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Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2012.

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Presiding Officer of the House
of Representatives