

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 HOUSE JOINT
5 RESOLUTION 1001

By: Dank of the House

and

Reynolds of the Senate

6
7
8
9
10 AS INTRODUCED

11 A Joint Resolution directing the Secretary of State
12 to refer to the people for their approval or
13 rejection a proposed amendment to Section 8C of
14 Article X of the Constitution of the State of
15 Oklahoma; modifying provisions related to certain
16 qualifying income; providing ballot title; and
17 directing filing.

18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
19 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

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

1 Section 8C. ~~A.~~ Despite any provision to the contrary,
2 beginning January 1, ~~2005~~ 2013, the fair cash value, as determined
3 by law, on each homestead of an individual head of household ~~whose~~
4 ~~gross household income from all sources for the preceding calendar~~
5 ~~year did not exceed an amount as provided in subsection B of this~~
6 ~~section, and~~ which individual head of household is sixty-five (65)
7 years of age or older, shall not exceed the fair cash value placed
8 upon the property during the first year in which the individual head
9 of household was sixty-five (65) years of age or older ~~and had gross~~
10 ~~household income from all sources which did not exceed an amount as~~
11 ~~provided in subsection B of this section.~~ Subject to the
12 limitations of this section, the fair cash value shall not exceed
13 such amount as long as the individual head of household who is
14 sixty-five (65) years of age or older owns and occupies the property
15 ~~and as long as the gross household income from all sources does not~~
16 ~~exceed an amount as provided in subsection B of this section.~~ If
17 any improvements are made to the property, the fair cash value of
18 the improvements shall be assessed in accordance with law by the
19 county assessor and added to the assessed value of the property.
20 Once the fair cash value of the improvements has been added to the
21 fair cash value of the property, the total fair cash value shall not
22 exceed the revised valuation of the property so long as the
23 individual head of household who is sixty-five (65) years of age or

1 | older owns and occupies the property and ~~so long as the gross~~
2 | ~~household income from all sources does not exceed an amount as~~
3 | ~~provided in subsection B of this section.~~ For any individual head
4 | of household who is sixty-five (65) years of age or older prior to
5 | January 1, 1997, and has gross household income from all sources of
6 | Twenty-five Thousand Dollars (\$25,000.00) or less in calendar year
7 | 1996, the fair cash value of the real property shall be the fair
8 | cash value placed upon the property on January 1, 1997. If the
9 | individual head of household ceases to own and occupy the property
10 | ~~or if the gross household income from all sources exceeds an amount~~
11 | ~~as provided in subsection B of this section,~~ the fair cash value of
12 | the property shall be determined as if the provisions of Section 8
13 | of Article X of the Constitution of the State of Oklahoma or any
14 | other provisions relating to a limitation on the fair cash value of
15 | locally assessed real property had been in effect during the time
16 | the property was valued pursuant to the provisions of this section.

17 | ~~B. The income threshold for the gross household income from all~~
18 | ~~sources for an individual head of household under this section shall~~
19 | ~~not exceed the amount determined by the United States Department of~~
20 | ~~Housing and Urban Development to be the estimated median income for~~
21 | ~~the preceding year for the county or metropolitan statistical area~~
22 | ~~which includes such county. The Oklahoma Tax Commission shall~~

23 |
24 |

1 ~~provide such information to each county assessor each year as soon~~
2 ~~as such information becomes available.~~

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

6 BALLOT TITLE

7 Legislative Referendum No. _____ State Question No. _____

8 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

9 This measure amends the Oklahoma Constitution. It amends
10 Section 8C of Article 10. Persons aged 65 or older who own a
11 homestead can qualify for a property tax benefit. A homestead
12 owned by such persons will not be subject to increases in value
13 for property tax purposes. This value is known as fair cash
14 value. The law limits the amount of income persons may have in
15 order to qualify for this benefit. This measure would allow any
16 person age 65 or older regardless of income to have this
17 benefit. The homestead of these persons would not be subject to
18 any further increases in fair cash value. This change would
19 become effective January 1, 2013.

20 SHALL THE PROPOSAL BE APPROVED?

21 FOR THE PROPOSAL — YES _____

22 AGAINST THE PROPOSAL — NO _____

23
24

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

6
7 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02-24-2011 - DO PASS,
8 As Coauthored.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.