

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1449

By: Brinkley of the Senate

and

Derby of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to ad valorem tax; amending 68 O.S.
12 2011, Section 2949, which relates to exemptions;
13 modifying income threshold for certain exemption
14 after specified date; and providing an effective
15 date.

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

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

19 Section 2949. A. 1. Beginning with the year 1990 and ~~for each~~
20 ~~year thereafter~~ through the year 2012, any person sixty-two (62)
21 years of age or older, who is the head of a household, is a resident
22 of and is domiciled in this state during the entire preceding
23 calendar year, whose gross household income for the preceding year

1 did not exceed Ten Thousand Dollars (\$10,000.00) and owns and
2 resides in a manufactured home which is located on land not owned by
3 the owner of the manufactured home may receive an exemption on the
4 manufactured home in an amount equal to Two Thousand Dollars
5 (\$2,000.00).

6 2. For years beginning after December 31, 2012, any person
7 sixty-two (62) years of age or older, who is the head of a
8 household, is a resident of and is domiciled in this state during
9 the entire preceding calendar year and owns and resides in a
10 manufactured home which is located on land not owned by the owner of
11 the manufactured home, may receive an exemption on the manufactured
12 home in an amount equal to Two Thousand Dollars (\$2,000.00) if the
13 person's gross household income for the preceding year did not
14 exceed the greater of Twenty-two Thousand Dollars (\$22,000.00) or
15 fifty percent (50%) of the amount determined by the United States
16 Department of Housing and Urban Development to be the estimated
17 median income for the preceding year for the county or metropolitan
18 statistical area which includes the county in which the claimant's
19 property is located.

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

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

21 D. As used in this section:

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

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

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

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

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13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
14 04/09/2012 - DO PASS, As Amended.

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