

1 **SENATE FLOOR VERSION**

2 February 22, 2012

3 As Amended

4 SENATE BILL NO. 1449

5 By: Brinkley of the Senate

6 and

7 Derby of the House

8 **[ad valorem tax - modifying income threshold -**
9 **effective date]**

10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

14 Section 2949. A. 1. Beginning with the year 1990 and ~~for each~~
15 ~~year thereafter~~ through the year 2012, any person sixty-two (62)
16 years of age or older, who is the head of a household, is a resident
17 of and is domiciled in this state during the entire preceding
18 calendar year, whose gross household income for the preceding year
19 did not exceed Ten Thousand Dollars (\$10,000.00) and owns and
20 resides in a manufactured home which is located on land not owned by
21 the owner of the manufactured home may receive an exemption on the
22 manufactured home in an amount equal to Two Thousand Dollars
23 (\$2,000.00).

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

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

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1 in bold letters that the form is to be returned to the county
2 assessor of the county in which the manufactured home is located.

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

16 D. As used in this section:

17 1. "Gross household income" means the gross amount of income of
18 every type, regardless of the source, received by all persons
19 occupying the same household, whether such income was taxable or
20 nontaxable for federal or state income tax purposes, including
21 pensions, annuities, federal Social Security, unemployment payments,
22 veterans' disability compensation, public assistance payments,
23 alimony, support money, workers' compensation, loss-of-time

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1 insurance payments, capital gains and any other type of income
2 received, and excluding gifts; and

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

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

7 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-14-12 - DO PASS,
8 As Amended and Coauthored.

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