

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE JOINT
4 RESOLUTION 1027

By: Proctor

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 8C of
10 Article X of the Constitution of the State of
11 Oklahoma; modifying provisions related to valuation
12 increases for homestead property owned by certain
13 persons; modifying age qualification; providing
14 ballot title; and directing filing.

15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
16 1ST SESSION OF THE 53RD 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 8C of Article X of the
20 Constitution of the State of Oklahoma to read as follows:

21 Section 8C. A. Despite any provision to the contrary,
22 beginning January 1, ~~2005~~ 2013, the fair cash value, as determined
23 by law, on each homestead of an individual head of household whose
24 gross household income from all sources for the preceding calendar
year did not exceed an amount as provided in subsection B F of this

1 section, and which individual head of household is ~~sixty five (65)~~
2 sixty (60) years of age or older, shall not exceed the fair cash
3 value placed upon the property during the first year in which the
4 individual head of household was ~~sixty five (65)~~ sixty (60) years of
5 age or older and had gross household income from all sources which
6 did not exceed an amount as provided in subsection B F of this
7 section.

8 B. Subject to the limitations of this section, the fair cash
9 value shall not exceed such amount as long as the individual head of
10 household who is ~~sixty five (65)~~ sixty (60) years of age or older
11 owns and occupies the property and as long as the gross household
12 income from all sources does not exceed an amount as provided in
13 subsection B F of this section.

14 C. If any improvements are made to the property, the fair cash
15 value of the improvements shall be assessed in accordance with law
16 by the county assessor and added to the assessed value of the
17 property. Once the fair cash value of the improvements has been
18 added to the fair cash value of the property, the total fair cash
19 value shall not exceed the revised valuation of the property so long
20 as the individual head of household who is ~~sixty five (65)~~ sixty
21 (60) years of age or older owns and occupies the property and so
22 long as the gross household income from all sources does not exceed
23 an amount as provided in subsection B F of this section.

24

1 D. For any individual head of household who is sixty-five (65)
2 years of age or older prior to January 1, 1997, and has gross
3 household income from all sources of Twenty-five Thousand Dollars
4 (\$25,000.00) or less in calendar year 1996, the fair cash value of
5 the real property shall be the fair cash value placed upon the
6 property on January 1, 1997.

7 E. If the individual head of household ceases to own and occupy
8 the property or if the gross household income from all sources
9 exceeds an amount as provided in subsection ~~B~~ F of this section, the
10 fair cash value of the property shall be determined as if the
11 provisions of Section 8 of Article X of the Constitution of the
12 State of Oklahoma or any other provisions relating to a limitation
13 on the fair cash value of locally assessed real property had been in
14 effect during the time the property was valued pursuant to the
15 provisions of this section.

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

24

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

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. It amends
8 Section 8C of Article 10. The fair cash value of homesteads
9 owned by certain persons cannot increase for property tax
10 purposes. A person must be sixty-five (65) years old and their
11 gross household income cannot be greater than a certain amount.
12 This measure would decrease the age of qualification to sixty
13 (60) years of age. This change would become effective beginning
14 January 1, 2013.

15 SHALL THE PROPOSAL BE APPROVED?

16 FOR THE PROPOSAL - YES _____

17 AGAINST THE PROPOSAL - NO _____

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

23

24 53-1-6516 MAH 01/19/11