

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1029

By: Johnson

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
of certain homesteads owned by persons of designated
age; clarifying language; providing ballot title; and
directing filing.

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14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
15 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

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

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

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

7 Subject to the limitations of this section, the fair cash value
8 shall not exceed such amount as long as the individual head of
9 household who is sixty-five (65) years of age or older owns and
10 occupies the property and as long as the gross household income from
11 all sources does not exceed an amount as provided in subsection B of
12 this section. If any improvements are made to the property, the
13 fair cash value of the improvements shall be assessed in accordance
14 with law by the county assessor and added to the assessed value of
15 the property. Once the fair cash value of the improvements has been
16 added to the fair cash value of the property, the total fair cash
17 value shall not exceed the revised valuation of the property so long
18 as the individual head of household who is sixty-five (65) years of
19 age or older owns and occupies the property and so long as the gross
20 household income from all sources does not exceed an amount as
21 provided in subsection B of this section. For any individual head
22 of household who is sixty-five (65) years of age or older prior to
23 January 1, 1997, and has gross household income from all sources of
24 Twenty-five Thousand Dollars (\$25,000.00) or less in calendar year

1 1996, the fair cash value of the real property shall be the fair
2 cash value placed upon the property on January 1, 1997. If the
3 individual head of household ceases to own and occupy the property
4 or if the gross household income from all sources exceeds an amount
5 as provided in subsection B of this section, the fair cash value of
6 the property shall be determined as if the provisions of Section 8
7 of Article X of the Constitution of the State of Oklahoma or any
8 other provisions relating to a limitation on the fair cash value of
9 locally assessed real property had been in effect during the time
10 the property was valued pursuant to the provisions of this section.

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

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

22 BALLOT TITLE

23 Legislative Referendum No. _____ State Question No. _____

24 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

1 This measure amends the Oklahoma Constitution. It amends Section
2 8C of Article 10. This section relates to the valuation of
3 certain homestead property for ad valorem tax purposes. This
4 measure clarifies language.

5 SHALL THE PROPOSAL BE APPROVED?

6 FOR THE PROPOSAL - YES _____

7 AGAINST THE PROPOSAL - NO _____

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

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