

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No. 2621, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Brecheen

Brecheen-FS-Req#3664
4/23/2014 10:57 AM

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 2621

By: Reynolds and Bennett of the
House

6 and

7 Brecheen of the Senate

8 FLOOR SUBSTITUTE

9 [ad valorem tax - exemption related to veterans -
10 Constitutional amendment - procedures]

11
12 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

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

17 Section 8E. A. Despite any provision to the contrary,
18 beginning January 1, 2006, each head of household who has been
19 honorably discharged from active service in any branch of the Armed
20 Forces of the United States or Oklahoma National Guard and who has
21 been certified by the United States Department of Veterans Affairs
22 or its successor to have a one hundred percent (100%) permanent
23 disability sustained through military action or accident or
24 resulting from disease contracted while in such active service or

1 the surviving spouse of such head of household shall be entitled to
2 claim an exemption for the full amount of the fair cash value of the
3 homestead.

4 B. In order to be eligible for the exemption authorized by this
5 section, the individual shall be required to prove residency within
6 the State of Oklahoma and must have previously qualified for the
7 homestead exemption authorized by law or be eligible for the
8 homestead exemption pursuant to law.

9 C. If a homestead otherwise eligible for the exemption
10 authorized by this section is transferred on or after January 1 of a
11 calendar year, another homestead property acquired by the qualifying
12 head of household or by the surviving spouse of such qualifying head
13 of household shall be exempt to the same extent as the homestead
14 property previously owned by such person or persons for the year
15 during which the new homestead is acquired and, subject to the
16 requirements of this section, for each year thereafter.

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

20 BALLOT TITLE
21 Legislative Referendum No. _____ State Question No. _____

22 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

23 This measure amends the Oklahoma Constitution. It amends
24 Section 8E of Article 10. This section provides a homestead

1 exemption to certain qualifying disabled veterans. It also
2 provides a homestead exemption to the surviving spouse of
3 qualifying disabled veterans. This measure would allow either
4 the veteran or his or her surviving spouse to sell the
5 homestead, but acquire another homestead property in the same
6 calendar year. The exemption would apply to the newly acquired
7 homestead property to the same extent as the original exemption
8 for the homestead property that was sold.

9 SHALL THE PROPOSAL BE APPROVED?

10 FOR THE PROPOSAL - YES _____

11 AGAINST THE PROPOSAL - NO _____

12 SECTION 3. The Secretary of State shall refer to the people for
13 their approval or rejection, as and in the manner provided by law,
14 the following proposed amendment to the Constitution of the State of
15 Oklahoma by adding a new Section 8F to Article X thereof, to read as
16 follows:

17 Section 8F. A. Despite any provision to the contrary, and
18 except as otherwise provided by subsection D of this section,
19 beginning January 1, 2015, the surviving spouse of the head of
20 household who is determined by the United States Department of
21 Defense or any branch of the United States Military to have died
22 while in the line of duty shall be entitled to claim an exemption
23 for the full amount of the fair cash value of the homestead until
24 such surviving spouse remarries.

1 B. In order to be eligible for the exemption authorized by this
2 section, the surviving spouse shall be required to prove residency
3 within the State of Oklahoma and must have previously qualified for
4 the homestead exemption authorized by law or be eligible for the
5 homestead exemption pursuant to law.

6 C. If a homestead otherwise eligible for the exemption
7 authorized by this section is transferred on or after January 1 of a
8 calendar year, another homestead property acquired by the surviving
9 spouse shall be exempt to the same extent as the homestead property
10 previously owned by such person for the year during which the new
11 homestead is acquired and, subject to the requirements of this
12 section, for each year thereafter.

13 D. The provisions of this section shall be applicable for the
14 2014 calendar year with respect to an existing homestead property
15 owned by the surviving spouse of a person previously determined to
16 have died while in the line of duty by the United States Department
17 of Defense or applicable branch of the United States military.

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

21 BALLOT TITLE

22 Legislative Referendum No. _____ State Question No. _____

23 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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1 This measure amends the Oklahoma Constitution. It would add a
2 new Section 8G to Article 10. It would create a homestead
3 exemption for the surviving spouse of military personnel who die
4 in the line of duty. The United States Department of Defense or
5 the applicable branch of the United States military would make
6 the determination regarding whether the person engaged in
7 military service died while in the line of duty. It would
8 provide the surviving spouse of such person with a one hundred
9 percent (100%) exemption for the fair cash value of the
10 homestead until the surviving spouse remarried. This measure
11 would allow the surviving spouse to sell the homestead, but
12 acquire another homestead property in the same calendar year.
13 The exemption would apply to the newly acquired homestead
14 property to the same extent as the original exemption for the
15 homestead property that was sold. The exemption would apply
16 beginning in calendar year 2015. The exemption would also apply
17 for the 2014 calendar year if the surviving spouse meets
18 applicable requirements.

19 SHALL THE PROPOSAL BE APPROVED?

20 FOR THE PROPOSAL - YES _____

21 AGAINST THE PROPOSAL - NO _____

22 SECTION 5. The Chief Clerk of the House of Representatives,
23 immediately after the passage of this act, shall prepare and file
24 one copy thereof, including the Ballot Titles set forth in SECTION 2

1 and 4 hereof, with the Secretary of State and one copy with the
2 Attorney General.

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