SENATE FLOOR VERSION
February 19, 2013
AS AMENDED

SENATE JOINT
RESOLUTION NO. 16 By: Sparks of the Senate

and

Schwartz of the House

[Joint Resolution - proposed amendment to Section 8D of Article X of the Oklahoma Constitution - personal property exemption for disabled veterans - - ballot title - filing]

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

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

Section 8D. A. Despite any provision to the contrary, beginning January 1, 2009, each head of household who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs or its successor to have a one-hundred-percent (100%) permanent disability sustained through military action or accident or

resulting from disease contracted while in such active service or the surviving spouse of such head of household shall be entitled to claim an exemption for the full amount of all household personal property which is subject to ad valorem taxation and which is not subject to any form of taxation in lieu of ad valorem taxation.

B. Beginning January 1, 2015, a disabled veteran meeting the qualifications described in subsection A of this section shall be entitled to claim a homestead exemption for the full amount of a manufactured home owned and occupied by the disabled veteran as his or her principal residence whether or not such manufactured home is located on real property owned by such disabled veteran. A surviving spouse of a person eligible for the exemption provided by this subsection shall be entitled to the exemption if the surviving spouse occupies the manufactured home as his or her principal residence whether or not such manufactured home is located on real property owned by such surviving spouse.

C. In order to be eligible for the exemption authorized by this section, the individual shall be required to prove residency within the State of Oklahoma.

~~C.~~ D. The Legislature shall be authorized to enact such laws as may be necessary in order to implement the exemption provided by this section; however, the exemption amount shall not be subject to modification by such enactments and shall be for the full amount of

the valuation of any ~~household~~ personal property as otherwise prescribed by this section.

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

BALLOT TITLE

Legislative Referendum No. ____ State Question No. ____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 8D of Article 10. The change would allow a veteran who is totally disabled to claim an exemption for a manufactured home. The manufactured home would be exempt even if it is located on land the veteran did not own. If the veteran died, the surviving spouse of that veteran would be able to claim the exemption also. The surviving spouse could claim the exemption even if the home was located on land the surviving spouse did not own.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2

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

COMMITTEE REPORT BY: COMMITTEE ON FINANCE
February 19, 2013 - DO PASS AS AMENDED