

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE JOINT
RESOLUTION 1020

By: Williams

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 8C of Article X of the Constitution of the State of Oklahoma; eliminating income threshold; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
1ST SESSION OF THE 59TH 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 8C of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 8C ~~A.~~ Despite any provision to the contrary, beginning January 1, ~~2005~~ 2025, the fair cash value, as determined by law, on each homestead of an individual ~~head of household whose gross household income from all sources for the preceding calendar year did not exceed an amount as provided in subsection B of this section, and which individual~~ head of household who is sixty-five (65) years of age or older, shall not exceed the fair cash value

1 placed upon the property during the first year in which the
2 individual head of household was sixty-five (65) years of age or
3 older ~~and had gross household income from all sources which did not~~
4 ~~exceed an amount as provided in subsection B of this section.~~
5 Subject to the limitations of this section, the fair cash value
6 shall not exceed such amount as long as the individual head of
7 household who is sixty-five (65) years of age or older owns and
8 occupies the property ~~and as long as the gross household income from~~
9 ~~all sources does not exceed an amount as provided in subsection B of~~
10 ~~this section.~~ If any improvements are made to the property, the
11 fair cash value of the improvements shall be assessed in accordance
12 with law by the county assessor and added to the assessed value of
13 the property. Once the fair cash value of the improvements has been
14 added to the fair cash value of the property, the total fair cash
15 value shall not exceed the revised valuation of the property so long
16 as the individual head of household who is sixty-five (65) years of
17 age or older owns and occupies the property ~~and so long as the gross~~
18 ~~household income from all sources does not exceed an amount as~~
19 ~~provided in subsection B of this section.~~ For any individual head
20 of household who is sixty-five (65) years of age or older prior to
21 January 1, 1997, and has gross household income from all sources of
22 Twenty-five Thousand Dollars (\$25,000.00) or less in calendar year
23 1996, the fair cash value of the real property shall be the fair
24 cash value placed upon the property on January 1, 1997. If the

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

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

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 8C of Article 10. This section limits the fair cash

value of a homestead for individual head of households who are sixty-five (65) years of age or older to not exceed the fair cash value placed upon the property during the first year in which the individual head of household was sixty-five (65) years of age or older. Currently, this section only applies if the individual head of household meets the age requirement and an income limit determined by the United States Department of Housing and Urban Development to be the estimated median income for the preceding year for the county or metropolitan statistical area which includes such county. This measure would eliminate the income limit requirement. If this measure passes, this section will apply if the individual head of household is sixty-five (65) years of age or older.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall 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.

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