

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 HOUSE JOINT
5 RESOLUTION 1025

 By: Wolfley and **Roberts**

6
7 AS INTRODUCED

8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to Section 8C of
11 Article X of the Constitution of the State of
12 Oklahoma; modifying provisions related to maximum
13 income amount for purposes of fair cash value
14 determinations for certain homestead properties;
15 providing ballot title; and directing filing.

16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
17 1ST SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

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

22 Section 8C. A. Despite any provision to the contrary,
23 beginning January 1, 2005, the fair cash value, as determined by
24 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

1 section, and which individual head of household is sixty-five (65)
2 years of age or older, shall not exceed the fair cash value placed
3 upon the property during the first year in which the individual head
4 of household was sixty-five (65) years of age or older and had gross
5 household income from all sources which did not exceed an amount as
6 provided in subsection B of this section. Subject to the
7 limitations of this section, the fair cash value shall not exceed
8 such amount as long as the individual head of household who is
9 sixty-five (65) years of age or older owns and occupies the property
10 and as long as the gross household income from all sources does not
11 exceed an amount as provided in subsection B of this section. If
12 any improvements are made to the property, the fair cash value of
13 the improvements shall be assessed in accordance with law by the
14 county assessor and added to the assessed value of the property.
15 Once the fair cash value of the improvements has been added to the
16 fair cash value of the property, the total fair cash value shall not
17 exceed the revised valuation of the property so long as the
18 individual head of household who is sixty-five (65) years of age or
19 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 double the amount determined by the United States
14 Department of Housing and Urban Development to be the estimated
15 median income for the preceding year for the county or metropolitan
16 statistical area which includes such county. The Oklahoma Tax
17 Commission shall provide such information to each county assessor
18 each year as soon 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. Persons age 65 or older can qualify for a
3 property tax benefit. The benefit means that the fair cash
4 value of the homestead property for the owner cannot increase
5 after the person reaches age 65 and is otherwise qualified.
6 There is a limit on the income a person can receive and still
7 have this property tax benefit. The income limit is determined
8 in each county by reference to median income guidelines
9 published by the United States Department of Housing and Urban
10 Development. This measure would double the amount of income a
11 person can receive and still be able to qualify for the property
12 tax benefit.

13 SHALL THE PROPOSAL BE APPROVED?

14 FOR THE PROPOSAL - YES _____

15 AGAINST THE PROPOSAL - NO _____

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

21
22 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/20/2024 - DO PASS,
23 As Coauthored.
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