

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE JOINT
4 RESOLUTION 1035

By: Moore

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 reference; providing ballot
12 title; and directing filing.

13 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
14 2ND SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

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

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

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

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

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

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

21 BALLLOT TITLE

22 Legislative Referendum No. _____ State Question No. _____

23 THE GIST OF THE PROPOSITION IS AS FOLLOWS:
24

1 This measure amends the Oklahoma Constitution. It amends Section 8C
2 of Article 10. It modifies a reference.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES _____

5 AGAINST THE PROPOSAL - NO _____

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

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12 57-2-10434 MAH 12/30/19

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