

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE JOINT
4 RESOLUTION 1037

By: Echols

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 certain
13 qualifying income limits; providing ballot title; and
14 directing filing.

15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
16 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

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

21 Section 8C. ~~A.~~ Despite any provision to the contrary,
22 beginning January 1, ~~2005~~ 2023, the fair cash value, as determined
23 by law, on each homestead of an individual head of household ~~whose~~
24 ~~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 is sixty-five (65)

1 years of age or older, shall not exceed the fair cash value placed
2 upon the property during the first year in which the individual head
3 of household was sixty-five (65) years of age or older ~~and had gross~~
4 ~~household income from all sources which did not exceed an amount as~~
5 ~~provided in subsection B of this section.~~ Subject to the
6 limitations of this section, the fair cash value shall not exceed
7 such amount as long as the individual head of household who is
8 sixty-five (65) years of age or older owns and occupies the property
9 ~~and as long as the gross household income from all sources does not~~
10 ~~exceed an amount as provided in subsection B of this section.~~ If
11 any improvements are made to the property, the fair cash value of
12 the improvements shall be assessed in accordance with law by the
13 county assessor and added to the assessed value of the property.
14 Once the fair cash value of the improvements has been added to the
15 fair cash value of the property, the total fair cash value shall not
16 exceed the revised valuation of the property so long as the
17 individual head of household who is sixty-five (65) years of age or
18 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
2 8C of Article 10. This section prevents increases in the fair
3 cash value of the homestead of persons age sixty-five (65) or
4 older. Currently, to avoid an increase in the fair cash value
5 of the homestead property, the person cannot have a gross
6 household income greater than a certain amount determined each
7 year using information about household income published by the
8 United States Department of Housing and Urban Development. This
9 measure would eliminate the qualifying income limit and the fair
10 cash value of the homestead owned by a person age sixty-five
11 (65) or older could not increase as long as the person occupied
12 the property as their homestead.

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.

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