

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE JOINT
4 RESOLUTION 18

By: Sparks

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 8D of
10 Article X of the Oklahoma Constitution; modifying
11 provisions related to personal property exemption for
12 disabled veterans; providing exempt treatment for
13 certain manufactured homes; authorizing surviving
14 spouse to claim exemption for certain manufactured
15 homes; providing ballot title; and directing filing.

16 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
17 1ST SESSION OF THE 55TH 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 8D of Article X of the
21 Oklahoma Constitution to read as follows:

22 Section 8D. A. Despite any provision to the contrary,
23 beginning January 1, 2009, each head of household who has been
24 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

1 or its successor to have a one-hundred-percent (100%) permanent
2 disability sustained through military action or accident or
3 resulting from disease contracted while in such active service or
4 the surviving spouse of such head of household shall be entitled to
5 claim an exemption for the full amount of all household personal
6 property which is subject to ad valorem taxation and which is not
7 subject to any form of taxation in lieu of ad valorem taxation.

8 B. Beginning January 1, 2017, a disabled veteran meeting the
9 qualifications described in subsection A of this section shall be
10 entitled to claim a homestead exemption for the full amount of a
11 manufactured home owned and occupied in this state by the disabled
12 veteran as his or her principal residence whether or not such
13 manufactured home is located on real property owned by such disabled
14 veteran. A surviving spouse of a person eligible for the exemption
15 provided by this subsection shall be entitled to the exemption if
16 the surviving spouse occupies the manufactured home as his or her
17 principal residence in this state whether or not such manufactured
18 home is located on real property owned by such surviving spouse.

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

22 ~~C.~~ D. The Legislature shall be authorized to enact such laws as
23 may be necessary in order to implement the exemption provided by
24 this section; however, the exemption amount shall not be subject to

1 modification by such enactments and shall be for the full amount of
2 the valuation of any ~~household~~ personal property as otherwise
3 prescribed by this section.

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

7 BALLOT TITLE

8 Legislative Referendum No. _____ State Question No. _____

9 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

19 SHALL THE PROPOSAL BE APPROVED?

20 FOR THE PROPOSAL - YES _____

21 AGAINST THE PROPOSAL - NO _____

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

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

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