

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE JOINT  
4 RESOLUTION 1047

By: Manger and Townley

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; eliminating income threshold; providing  
12 ballot title; and directing filing.

13 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
14 2ND SESSION OF THE 58TH 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 to the contrary,  
20 beginning January 1, ~~2005~~ 2023, the fair cash value, as determined  
21 by law, on each homestead of an individual ~~head of household whose~~  
22 ~~gross household income from all sources for the preceding calendar~~  
23 ~~year did not exceed an amount as provided in subsection B of this~~  
24 ~~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

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

14 SHALL THE PROPOSAL BE APPROVED?

15 FOR THE PROPOSAL - YES \_\_\_\_\_

16 AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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23 58-2-8531 AQH 01/03/22  
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