

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE JOINT
4 RESOLUTION 1033

By: George

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 8E of
10 Article X of the Constitution of the State of
11 Oklahoma; modifying provisions related to homesteads
12 of certain disabled veterans or surviving spouses;
13 providing for exemption based upon disability
14 percentage determinations; providing ballot title;
15 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 8E of Article X of the
21 Constitution of the State of Oklahoma to read as follows:

22 Section 8E. Homestead exemption - Military service disability.

23 A. Despite any provision to the contrary, beginning January 1,
24 ~~2006~~ 2025, each head of household who has been 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

1 United States Department of Veterans Affairs or its successor to
2 have a ~~one hundred percent (100%)~~ permanent disability sustained
3 through military action or accident or resulting from disease
4 contracted while in such active service or the surviving spouse of
5 such head of household shall be entitled to claim an exemption ~~for~~
6 ~~the full amount of the fair cash value of the homestead~~ based on the
7 percentage of the disability according to the following schedule:

8 1. If the disability is determined to be one hundred percent
9 (100%), the exemption shall be for the full amount of the fair cash
10 value of the homestead;

11 2. If the disability is determined to be less than one hundred
12 percent (100%) but at least seventy percent (70%), the exemption
13 shall be for fifty percent (50%) of the fair cash value of the
14 homestead; and

15 3. If the disability is determined to be less than seventy
16 percent (70%), there shall be no exemption for any amount of the
17 fair cash value of the homestead.

18 B. In order to be eligible for the exemption authorized by this
19 section, the individual shall be required to prove residency within
20 the State of Oklahoma and must have previously qualified for the
21 homestead exemption authorized by law or be eligible for the
22 homestead exemption pursuant to law.

23 C. If a homestead otherwise eligible for the exemption
24 authorized by this section is transferred on or after January 1 of a

1 calendar year, another homestead property acquired by the qualifying
2 head of household or by the surviving spouse of such qualifying head
3 of household shall be exempt to the same extent as the homestead
4 property previously owned by such person or persons for the year
5 during which the new homestead is acquired and, subject to the
6 requirements of this section, for each year thereafter.

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

10 BALLOT TITLE

11 Legislative Referendum No. _____ State Question No. _____

12 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

13 This measure amends the Oklahoma Constitution. It amends
14 Section 8E of Article 10. This section allows certain disabled
15 veterans to be exempt from paying property tax on their
16 homestead. Currently, the veteran must be determined to be one
17 hundred percent (100%) disabled to qualify. This measure would
18 change the amount of the exemption based on the percentage of
19 disability. A one hundred percent (100%) disabled veteran would
20 still be exempt from payment of property tax on the homestead.
21 If the veteran has a disability less than one hundred percent
22 (100%) but at least seventy percent (70%) the exemption would be
23 for one-half (1/2) the fair cash value of the homestead. If the
24 veteran has a disability of less than seventy percent (70%),

1 there would not be any exemption and the veteran would owe
2 property tax based on the fair cash value of the homestead.

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 59-1-6526 MAH 01/10/23
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