

1 AN ACT proposing an amendment to Section 170 of the Constitution of Kentucky
2 relating to property exempt from taxation.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. Are you in favor of providing an additional ad valorem tax
5 exemption for real property maintained as the permanent residence of an owner who is
6 sixty-five years of age or older by amending the Constitution of Kentucky to read as
7 stated below?

8 ➔Section 2. It is proposed that Section 170 of the Constitution of Kentucky be
9 amended to read as follows:

10 (1) There shall be exempt from taxation public property used for public purposes;
11 places of burial not held for private or corporate profit; real property owned and occupied
12 by, and personal property both tangible and intangible owned by, institutions of religion;
13 institutions of purely public charity, and institutions of education not used or employed
14 for gain by any person or corporation, and the income of which is devoted solely to the
15 cause of education, public libraries, their endowments, and the income of such property
16 as is used exclusively for their maintenance; household goods of a person used in his
17 home; ***and*** crops grown in the year in which the assessment is made, and in the hands of
18 the producer.

19 (2) (a) ***There shall be exempt from taxation***~~[-, and]~~ real property maintained as
20 the permanent residence of the owner, who is

21 1. Sixty-five years of age or older;~~[-,]~~ or

22 2. ~~[-is]~~ Classified as totally disabled under a program authorized or administered
23 by an agency of the United States government or by any retirement system either within
24 or without the Commonwealth of Kentucky, ~~[-if provided]~~ the property owner ***has:***

25 a. Received disability payments pursuant to ~~[-the]~~~~[-such]~~ disability classification;~~[-,~~
26 ~~has]~~

27 b. Maintained ~~[-the]~~~~[-such]~~ disability classification for the ***entire***~~[-entirety of the]~~

1 particular} taxation period; and[, and has }

2 c. Filed with the appropriate local assessor by December 31 of the taxation
3 period, on the provided forms[~~provided therefor~~], a signed statement, made under
4 penalty of perjury, indicating continuing disability.[~~as provided herein made under~~
5 ~~penalty of perjury.~~]

6 (b) 1. The exemption amount shall be up to the assessed valuation of sixty-
7 five hundred dollars as indexed every two years on the[~~said~~] residence and contiguous
8 real property, except for assessment for special benefits; and

9 2. As long as the real property is continually maintained as the permanent
10 residence of the owner who is sixty-five years of age or older, the exemption amount
11 shall also include any increase in ad valorem taxes that are assessed after the latter of:

12 a. The year the owner turned sixty-five years of age;

13 b. The year the owner first purchased the residence and contiguous real
14 property; or

15 c. The date this provision was ratified by the voters.

16 (3) The real property may be held by legal or equitable title, by the entireties,
17 jointly, in common, as a condominium, or indirectly by the stock ownership or
18 membership representing the owner's or member's proprietary interest in a corporation
19 owning a fee or a leasehold initially in excess of ninety-eight years. The exemptions shall
20 apply only to the value of the real property assessable to the owner or, in case of
21 ownership through stock or membership in a corporation, the value of the proportion
22 which his interest in the corporation bears to the assessed value of the property.

23 (4) The General Assembly may authorize any incorporated city or town to exempt
24 manufacturing establishments from municipal taxation, for a period not exceeding five
25 years, as an inducement to their location.

26 (5) Notwithstanding the provisions of Sections 3, 172, and 174 of this
27 Constitution to the contrary, the General Assembly may provide by law an exemption for

1 all or any portion of the property tax for any class of personal property.

2 →Section 3. If ratified by the voters of the Commonwealth, this Act shall apply to
3 property assessed on and after the January 1st immediately following the date of the
4 ratification.

5 →Section 4. This amendment shall be submitted to the voters of the
6 Commonwealth for their ratification or rejection at the time and in the manner provided
7 for under Sections 256 and 257 of the Constitution and under Sections 5 and 6 of this
8 Act.

9 →Section 5. Notwithstanding any language in KRS 118.415 to the contrary, the
10 Secretary of State shall cause the entirety of the proposed amendment to the Constitution
11 of Kentucky contained in Sections 1 to 3 of this Act to be published at least one time in a
12 newspaper of general circulation published in this state, and shall also cause to be
13 published at the same time and in the same manner the fact that the amendment will be
14 submitted to the voters for their acceptance or rejection at the next regular election at
15 which members of the General Assembly are to be voted for. The publication required by
16 this section and KRS 118.415 shall be made no later than the first Tuesday in August
17 preceding the election at which the amendment is to be voted on.

18 →Section 6. Notwithstanding any language in KRS 118.415 to the contrary, the
19 Secretary of State, not later than the second Monday after the second Tuesday in August
20 preceding the next regular election at which members of the General Assembly are to be
21 chosen in a year in which there is not an election for President and Vice President of the
22 United States, or not later than the Thursday after the first Tuesday in September
23 preceding a regular election in a year in which there is an election for President and Vice
24 President of the United States, shall certify the entirety of the proposed amendment to the
25 Constitution of Kentucky contained in Sections 1 to 3 of this Act to the county clerk of
26 each county, and the county clerk shall have the entirety of the amendment, as so
27 certified, indicated on the ballots provided to the voters in paper or electronic form as

- 1 applicable to the voting machines in use in each county or precinct.