

1 STATE OF OKLAHOMA

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

3 SENATE JOINT
4 RESOLUTION 33

By: Stanley

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 Sections 8D through
10 8F of Article X of the Oklahoma Constitution;
11 clarifying language; providing ballot title;
12 directing filing; and ordering a special election.

13 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES 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 Sections 8D through 8F of
18 Article X of the Oklahoma Constitution to read as follows:

19 Section 8D. A. Despite any provision to the contrary,
20 beginning January 1, 2009, each ~~head of household~~ veteran who has
21 been honorably discharged from active service in any branch of the
22 Armed Forces of the United States or Oklahoma National Guard and who
23 has been certified by the United States Department of Veterans
24 Affairs or its successor to have a one-hundred-percent (100%)
25 permanent disability sustained through military action or accident

1 or resulting from disease contracted while in such active service or
2 the surviving spouse of such ~~head of household~~ veteran shall be
3 entitled to claim an exemption for the full amount of all household
4 personal property which is subject to ad valorem taxation and which
5 is not subject to any form of taxation in lieu of ad valorem
6 taxation.

7 B. In order to be eligible for the exemption authorized by this
8 section, the individual shall be required to prove residency within
9 the State of Oklahoma.

10 C. The Legislature shall be authorized to enact such laws as
11 may be necessary in order to implement the exemption provided by
12 this section; however, the exemption amount shall not be subject to
13 modification by such enactments and shall be for the full amount of
14 the valuation of any household personal property as otherwise
15 prescribed by this section.

16 Section 8E. A. Despite any provision to the contrary,
17 beginning January 1, 2006, each ~~head of household~~ veteran who has
18 been honorably discharged from active service in any branch of the
19 Armed Forces of the United States or Oklahoma National Guard and who
20 has been certified by the United States Department of Veterans
21 Affairs or its successor to have a one hundred percent (100%)
22 permanent disability sustained through military action or accident
23 or resulting from disease contracted while in such active service or
24 the surviving spouse of such ~~head of household~~ veteran shall be

1 entitled to claim an exemption for the full amount of the fair cash
2 value of the homestead.

3 B. In order to be eligible for the exemption authorized by this
4 section, the individual shall be required to prove residency within
5 the State of Oklahoma and must have previously qualified for the
6 homestead exemption authorized by law or be eligible for the
7 homestead exemption pursuant to law.

8 C. If a homestead otherwise eligible for the exemption
9 authorized by this section is transferred on or after January 1 of a
10 calendar year, another homestead property acquired by the qualifying
11 ~~head of household~~ veteran or by the surviving spouse of such
12 qualifying ~~head of household~~ veteran shall be exempt to the same
13 extent as the homestead property previously owned by such person or
14 persons for the year during which the new homestead is acquired and,
15 subject to the requirements of this section, for each year
16 thereafter.

17 Section 8F. A. Despite any provision to the contrary, and
18 except as otherwise provided by subsection D of this section,
19 beginning January 1, 2015, the surviving spouse of ~~the head of~~
20 ~~household~~ a servicemember who is determined by the United States
21 Department of Defense or any branch of the United States military to
22 have died while in the line of duty shall be entitled to claim an
23 exemption for the full amount of the fair cash value of the
24 homestead until such surviving spouse remarries.

1 B. In order to be eligible for the exemption authorized by this
2 section, the surviving spouse shall be required to prove residency
3 within the State of Oklahoma and must have previously qualified for
4 the homestead exemption authorized by law or be eligible for the
5 homestead exemption pursuant to law.

6 C. If a homestead otherwise eligible for the exemption
7 authorized by this section is transferred on or after January 1 of a
8 calendar year, another homestead property acquired by the surviving
9 spouse shall be exempt to the same extent as the homestead property
10 previously owned by such person for the year during which the new
11 homestead is acquired and, subject to the requirements of this
12 section, for each year thereafter.

13 D. The provisions of this section shall be applicable for the
14 2014 calendar year with respect to an existing homestead property
15 owned by the surviving spouse of a person previously determined to
16 have died while in the line of duty by the United States Department
17 of Defense or applicable branch of the United States military.

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 BALLOT TITLE

22 Legislative Referendum No. _____ State Question No. _____

23 THE GIST OF THE PROPOSITION IS AS FOLLOWS:
24
25

1 This measure amends Sections 8D through 8F of Article 10 of the
2 Oklahoma Constitution. It updates and modernizes the language
3 for the household property exemption for disabled veterans and
4 surviving spouses, the homestead exemption for disabled veterans
5 and surviving spouses, and the homestead exemption for surviving
6 spouses of veterans who have died in the line of duty by
7 replacing the words "head of household" with the words "veteran"
8 and "servicemember".

9 SHALL THE PROPOSAL BE APPROVED?

10 FOR THE PROPOSAL - YES _____

11 AGAINST THE PROPOSAL - NO _____

12 SECTION 3. The President Pro Tempore of the Senate shall,
13 immediately after the passage of this resolution, prepare and file
14 one copy thereof, including the Ballot Title set forth in SECTION 2
15 hereof, with the Secretary of State and one copy with the Attorney
16 General.

17 SECTION 4. A special election is hereby ordered to be held
18 throughout the State of Oklahoma on the date of June 28, 2022, at
19 which time the proposed amendments to the Oklahoma Constitution, as
20 set forth in SECTION 1 of this resolution, shall be submitted to the
21 people of Oklahoma for their approval or rejection as and in the
22 manner provided by law.

23
24 58-2-2951 QD 1/20/2022 8:04:22 AM