2014 GENERAL ELECTION: STATE QUESTIONS ON THE BALLOT

Current State Questions (2014)

Following are ballot titles for State Questions currently on the ballot for the Nov. 4 General Election. For more information, refer to the Secretary of State's website.

SQ 769 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section 12 of Article 2 of the Oklahoma Constitution. That Section currently imposes limits on an individual simultaneously holding certain government offices. The amendment would permit those serving in state offices of trust or profit to also hold certain military positions. Holders of an Oklahoma office of trust or profit who currently can not simultaneously hold certain military positions, include:

Legislators; State Judges; District Attorneys; Statewide elected officials, such as the Governor, Lieutenant Governor, Attorney General and Treasurer; Members of State Boards, Agencies and Commissions, and Many County Officers.

The measure creates a state constitutional right permitting holders of Oklahoma offices of trust or profit to also serve and be called to active duty or active service in the following military positions:

An Officer or Enlisted Member of The National Guard, The National Guard Reserve, The Oklahoma State Guard, or Any other active militia or military force organized under State law; An Officer of the Officers Reserve Corps of the United States or An Enlisted Member of the Organized Reserves of the United States.

The Measure empowers the Legislature to enact laws to implement the amended Section.

These two links are for State Question 769 + Exemptions to Dual Office Holding

Oklahoma Secretary of State

St. Johns Law Review

Restrictions on holding concurrent office

SQ 770

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 8E of Article 10. This section provides a homestead exemption to certain qualifying disabled veterans. It also provides a homestead exemption to the surviving spouse of qualifying disabled veterans. This measure would allow either the veteran or his or her surviving spouse to sell the homestead but acquire another homestead property in the same calendar year. The exemption would apply to the newly acquired homestead property to the same extent as the original exemption for the homestead property that was sold.

SQ 771

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It would add a new Section 8F to Article 10. It would create a homestead exemption for the surviving spouse of military personnel who die in the line of duty. The United States Department of Defense or the applicable branch of the United States military would make the determination regarding whether the person engaged in military service died while in the line of duty. It would provide the surviving spouse of such person with a one hundred percent (100%) exemption for the fair cash value of the homestead until the surviving spouse remarried. This measure would allow the surviving spouse to sell the homestead, but acquire another homestead property in the same calendar year. The exemption would apply to the newly acquired homestead property to the same extent as the original exemption for the homestead property that was sold. The exemption would apply beginning in calendar year 2015.

The exemption would also apply for the 2014 calendar year if the surviving spouse meets applicable requirements.

Background:

The Homestead Exemption is an exemption of $1,000 of the assessed valuation.

This can be a savings of $87 - $134 depending on which area of the county you are located.

(Oklahoma County Assessor Website)

What are Property Taxes Used For?

Property taxes are based on the value of the property. For example, the property tax on a vacant lot valued at $10,000 is usually ten times as much as one valued at $1,000 if located in the same taxing jurisdiction. Property taxes are local taxes. Your county officials value your property, set your tax rates and collect your taxes. However, state law governs how the process works. The property tax provides more tax dollars for local services in Oklahoma than any other source. Property taxes help to pay for public schools, city streets, county roads, police, fire protection and many other services. The Oklahoma Constitution authorizes the property tax.

(Source: Oklahoma Property Taxes: 2014 Taxpayers' Rights, Remedies and Responsibilities, Taxpayer Education Series, TES-14)

Current Allowable Homestead Exemption for Disabled Veterans or a Surviving Spouse

Are you a 100% Disabled Veteran or a Surviving Spouse of a 100% Disabled Veteran?

You may qualify for a real and personal property tax exemption. You must be an Oklahoma resident and eligible for homestead exemption. An exemption from property tax on homesteads is available for 100% disabled veterans. The exemption would apply to 100% disability rated veterans and their surviving spouses. The exemption would be for the full fair cash value of the homestead real and household personal property. To qualify for the exemption the veteran must meet several requirements. First fair cash value of the homestead real and household personal property. To qualify for the exemption the veteran must meet several requirements. First, the veteran must have been honorably discharged from a branch of the Armed Forces. Second, the veteran would have to be a State resident. Third the veteran would have to have a 100% permanent disability. Fourth, the disability would have to have been sustained through military action or accident or result from a disease contracted while in active service. Fifth, the disability would have to be certified by U.S. Department of Veterans Affairs. Finally the veteran would have to be otherwise qualified for homestead exemption Exemptions must be applied for in the same year it is requested.

(Source: Oklahoma Property Taxes: 2014 Taxpayers' Rights, Remedies and Responsibilities, Taxpayer Education Series, TES-14)

Questions:

1.What is the best estimate of the number of such exemptions that will be claimed annually?

2. What will be the annual revenue impact on property tax collections if these exemptions are recognized and allowed?

3. What funding sources will be negatively impacted by the loss of revenue from these exemptions?

4. What other revenue streams will be available to make up that loss?