

# THREE QUESTIONS TO APPEAR ON NOV. 4 BALLOT

State voters will have three chances to amend the Oklahoma Constitution this fall. The proposals, state questions 769, 770 and 771, all address military issues. Additionally,

two of the proposed amendments focus on property tax exemptions.

These three state questions will appear on the Nov. 4 general election ballot. All were

referred to a vote of the people by the Oklahoma Legislature. Each question is reprinted here exactly as it will appear on the ballot, followed by a brief explanation prepared by the Oklahoma Press Association.

## STATE QUESTION NO. 769

### LEGISLATIVE REFERENDUM NO. 364

This measure amends Article 2, Section 12 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:

1. 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;
2. An Officer of the Officers Reserve Corps of the United States; or
3. An Enlisted Member of the Organized Reserves of the United States.

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

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

## STATE QUESTION 769

would amend Article 2, Section 12 of the Oklahoma Constitution to allow members of the legislature, district attorneys, judges, county officials and other statewide officials, such as the governor or lieutenant governor, to be called to active duty or serve the National Guard, the National Guard Reserve, the Oklahoma State Guard or "any other active militia or military force organized under state law."

The amendment would also allow elected officials to serve as an officer in the Officers Reserve Corps of the United States or as an enlisted member of the Organized Reserves of the United States.

Presently, the Oklahoma Constitution prevents members of Congress and other elected officials holding an office of trust from the United States or any other state and also holding an office of trust in Oklahoma. The amendment passed the Oklahoma Senate 44-0 on March 12 and cleared the House of Representatives 82-5 on April 24.

## STATE QUESTION NO. 770

### LEGISLATIVE REFERENDUM NO. 365

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.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

## STATE QUESTION NO. 770

would change the homestead exemption for disabled veterans and their surviving spouses.

Under Oklahoma law homeowners can apply for a homestead exemption for their property beginning Jan. 1 of each year.

The exemption provides certain legal remedies that can protect the value of a resident's home from property taxes, actions by creditors and some lawsuits sparked by the death of the homeowner. In Oklahoma, the homestead exemption also offers a tax benefit, which can save homeowners about \$100 in tax savings per year.

The proposal, created by House Bill 2621, would amend Article 10, Section 8E of the Oklahoma Constitution. Currently the Oklahoma Constitution allows veterans who are 100 percent disabled to claim an additional homestead exemption on their residence. Spouses of a disabled veteran would also be allowed to claim the additional exemption.

State Question 770 would allow the veteran or the surviving spouse to sell the homestead and, provided they acquire another property in the same calendar year, still be able to take advantage of the additional homestead exemption.

"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 measure said.

The measure passed the Oklahoma Senate 39-0 on April 4 and cleared the Oklahoma House of Representatives 84-0 on May 20.

## STATE QUESTION NO. 771

### LEGISLATIVE REFERENDUM NO. 366

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.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES

AGAINST THE PROPOSAL - NO

## STATE QUESTION NO. 771

, also created by HB2621, would create a homestead exemption for the surviving spouse of military personnel who die in the line of duty. The proposal would amend Article 10, Section 8 of the Oklahoma Constitution, by adding a new section, 8F.

That section would create an additional homestead exemption for the surviving spouse of military personnel who died while serving. The proposed amendment would require the U.S. Department of Defense, or any U.S. military branch, to determine whether the person died in the line of service.

The exemption would provide the surviving spouse with a 100 percent exemption for the fair cash value of the homestead until the surviving spouse remarried, effectively eliminating most of the property taxes on the dwelling.

In addition, the amendment would allow the surviving spouse to sell the homestead and, provided another homestead property was purchased in the same calendar year, keep the original exemption for the property that was sold.

For most residents the exemption would apply beginning in calendar year 2015. However, the exemption could also be granted in 2014 calendar year, if the surviving spouse qualifies.



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