



**Oklahoma
State
Senate**

*Legislative
Brief*

June 2014

**Issues To Be Referred to Oklahoma Voters
for Approval or Rejection at the 2014 Elections**

see also the list of State Questions compiled by the Secretary of State at
<https://www.sos.ok.gov/gov/questions.aspx>

Issue: Dual Office Holding

State Question 769

Legislative Referendum 364

Originating Legislation: [SJR 33](#) (2014)

Principal Authors: Senator Eddie Fields, Representative John Enns

Election Date: November 4, 2014 (pending proclamation by the Governor)

Ballot Title *(as re-written by the Attorney General):*

BALLOT TITLE FOR STATE QUESTION NO. 769

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.

**Issue: Transferability of Disabled Veteran Homestead Exemption
State Question 770**

Legislative Referendum 365

Originating Legislation: [HB 2621](#) (2014)

Principal Authors: Senator Josh Brecheen, Representative Mike Reynolds

Election Date: November 4, 2014 (pending proclamation by the Governor)

Ballot Title *(as approved by the Attorney General):*

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.

Issue: Homestead Exemption for Surviving Spouse of Deceased Military Personnel

State Question 771

Legislative Referendum 366

Originating Legislation: [HB 2621](#) (2014)

Principal Authors: Senator Josh Brecheen, Representative Mike Reynolds

Election Date: November 4, 2014 (pending proclamation by the Governor)

Ballot Title *(as approved by the Attorney General):*

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.

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