

**PROPOSED AMENDMENTS TO
HOUSE JOINT RESOLUTION 13**

1 On page 1 of the printed joint resolution, delete lines 3 through 28 and
2 delete pages 2 through 9 and insert:

3 **PARAGRAPH 1.** The Constitution of the State of Oregon is amended
4 by creating new sections 11m and 11n to be added to and made a part of
5 Article XI, and by amending section 11, Article XI, such sections to read:

6 **“Sec. 11.** (1)(a) For the tax year beginning July 1, 1997, each unit of
7 property in this state shall have a maximum assessed value for ad valorem
8 property tax purposes that does not exceed the property’s real market value
9 for the tax year beginning July 1, 1995, reduced by 10 percent.

10 **“(b)** For tax years beginning after July 1, 1997, the property’s maximum
11 assessed value shall not increase by more than three percent from the pre-
12 vious tax year.

13 **“(c)** Notwithstanding paragraph (a) or (b) of this subsection, **the assessed**
14 **value of** property shall be [*valued at the ratio of average maximum assessed*
15 *value to average real market value of property located in the area in which the*
16 *property is located that is within the same property class, if on or after July*
17 *1, 1995*]:

18 **“(A) The real market value of the property multiplied by the ratio,**
19 **not greater than 1.00, of the average maximum assessed value of**
20 **property of the same property class located in the area in which the**
21 **property is located divided by the average real market value of prop-**
22 **erty of the same property class located in the area in which the prop-**

1 **erty is located, if:**

2 “[A] (i) The property is [*new property or new improvements to*] **remod-**
3 **eling, renovation or minor rehabilitation or minor reconstruction of**
4 **real property or minor additions to real** property;

5 “[B] (ii) The property is partitioned or subdivided;

6 “[C] (iii) The property is rezoned and used consistently with the rezon-
7 ing;

8 “[D] (iv) The property is first taken into account as omitted property;

9 “[E] (v) The property becomes disqualified from exemption, partial ex-
10 emption or special assessment; or

11 “[F] (vi) A lot line adjustment is made with respect to the property,
12 except that the total assessed value of all property affected by a lot line
13 adjustment shall not exceed the total maximum assessed value of the affected
14 property under paragraph (a) or (b) of this subsection.

15 **“(B) The real market value of the property if the property is:**

16 **“(i) Real property that is the subject of a sale or other transfer; or**

17 **“(ii) New construction, major rehabilitation or major recon-**
18 **struction of real property or major additions to real property.**

19 **“(d)(A)** Property shall be valued under paragraph (c) of this subsection
20 only for the first tax year in which the changes described in paragraph (c)
21 of this subsection are taken into account [*following the effective date of this*
22 *section*].

23 **“(B) For the tax year in which property is valued under paragraph**
24 **(c) of this subsection, the maximum assessed value of the property**
25 **shall equal the assessed value of the property.**

26 **“(C)** For each tax year [*thereafter*] **after the tax year described in**
27 **subparagraph (A) of this paragraph,** the limits described in paragraph (b)
28 of this subsection apply.

29 **“(e)** The Legislative Assembly shall enact laws that establish property
30 classes and areas sufficient to make a determination under **subparagraph**

1 (A) of paragraph (c) of this subsection.

2 “(f)(A) Paragraph (c) of this subsection applies to installation but
3 does not apply to minor construction or ongoing maintenance and re-
4 pair.

5 “(B) For purposes of subparagraph (B) of paragraph (c) of this
6 subsection, ‘sale or other transfer’ means any transfer of legal or eq-
7 uitable title to real property unless the Legislative Assembly has pro-
8 vided by law for other treatment applicable to the transfer.

9 “[f] (g) Each property’s assessed value shall not exceed the property’s
10 real market value.

11 “[g] (h) There shall not be a reappraisal of the real market value used
12 in the tax year beginning July 1, 1995, for purposes of determining the
13 property’s maximum assessed value under paragraph (a) of this subsection.

14 “(2) The maximum assessed value of property that is assessed under a
15 partial exemption or special assessment law shall be determined by applying
16 the percentage reduction of paragraph (a) and the limit of paragraph (b) of
17 subsection (1) of this section, or if newly eligible for partial exemption or
18 special assessment, using a ratio developed in a manner consistent with
19 **subparagraph (A) of paragraph (c) of subsection (1) of this section** to the
20 property’s partially exempt or specially assessed value in the manner pro-
21 vided by law. After disqualification from partial exemption or special as-
22 sessment, any additional taxes authorized by law may be imposed, but in the
23 aggregate may not exceed the amount that would have been imposed under
24 this section had the property not been partially exempt or specially assessed
25 for the years for which the additional taxes are being collected.

26 “(3)(a)(A) The Legislative Assembly shall enact laws to reduce the amount
27 of ad valorem property taxes imposed by local taxing districts in this state
28 so that the total of all ad valorem property taxes imposed in this state for
29 the tax year beginning July 1, 1997, is reduced by 17 percent from the total
30 of all ad valorem property taxes that would have been imposed under re-

1 repealed sections 11 and 11a of this Article (1995 Edition) and section 11b of
2 this Article but not taking into account Ballot Measure 47 (1996), for the tax
3 year beginning July 1, 1997.

4 “(B) The ad valorem property taxes to be reduced under subparagraph (A)
5 of this paragraph are those taxes that would have been imposed under re-
6 pealed sections 11 or 11a of this Article (1995 Edition) or section 11b of this
7 Article, as modified by subsection (11) of this section, other than taxes de-
8 scribed in subsection (4), (5), (6) or (7) of this section, taxes imposed to pay
9 bonded indebtedness described in section 11b of this Article, as modified by
10 paragraph (d) of subsection (11) of this section, or taxes described in section
11 1c, Article IX of this Constitution.

12 “(C) It shall be the policy of this state to distribute the reductions caused
13 by this paragraph so as to reflect:

14 “(i) The lesser of ad valorem property taxes imposed for the tax year be-
15 ginning July 1, 1995, reduced by 10 percent, or ad valorem property taxes
16 imposed for the tax year beginning July 1, 1994;

17 “(ii) Growth in new value under subparagraph (A), (B), (C), (D) or (E) of
18 paragraph (c) of subsection (1) of this section (**1997 Edition**), as added to the
19 assessment and tax rolls for the tax year beginning July 1, 1996, or July 1,
20 1997 (or, if applicable, for the tax year beginning July 1, 1995); and

21 “(iii) Ad valorem property taxes authorized by voters to be imposed in tax
22 years beginning on or after July 1, 1996, and imposed according to that au-
23 thority for the tax year beginning July 1, 1997.

24 “(D) It shall be the policy of this state and the local taxing districts of
25 this state to prioritize public safety and public education in responding to
26 the reductions caused by this paragraph while minimizing the loss of
27 decision-making control of local taxing districts.

28 “(E) If the total value for the tax year beginning July 1, 1997, of additions
29 of value described in subparagraph (A), (B), (C), (D) or (E) of paragraph (c)
30 of subsection (1) of this section (**1997 Edition**) that are added to the assess-

1 ment and tax rolls for the tax year beginning July 1, 1996, or July 1, 1997,
2 exceeds four percent of the total assessed value of property statewide for the
3 tax year beginning July 1, 1997 (before taking into account the additions of
4 value described in subparagraph (A), (B), (C), (D) or (E) of paragraph (c) of
5 subsection (1) of this section (**1997 Edition**)), then any ad valorem property
6 taxes attributable to the excess above four percent shall reduce the dollar
7 amount of the reduction described in subparagraph (A) of this paragraph.

8 “(b) For the tax year beginning July 1, 1997, the ad valorem property
9 taxes that were reduced under paragraph (a) of this subsection shall be im-
10 posed on the assessed value of property in a local taxing district as provided
11 by law, and the rate of the ad valorem property taxes imposed under this
12 paragraph shall be the local taxing district’s permanent limit on the rate of
13 ad valorem property taxes imposed by the district for tax years beginning
14 after July 1, 1997, except as provided in subsection (5) of this section.

15 “(c)(A) A local taxing district that has not previously imposed ad valorem
16 property taxes and that seeks to impose ad valorem property taxes shall es-
17 tablish a limit on the rate of ad valorem property tax to be imposed by the
18 district. The rate limit established under this subparagraph shall be approved
19 by a majority of voters voting on the question. The rate limit approved under
20 this subparagraph shall serve as the district’s permanent rate limit under
21 paragraph (b) of this subsection.

22 “(B) The voter participation requirements described in subsection (8) of
23 this section apply to an election under this paragraph.

24 “(d) If two or more local taxing districts seek to consolidate or merge, the
25 limit on the rate of ad valorem property tax to be imposed by the consol-
26 idated or merged district shall be the rate that would produce the same tax
27 revenue as the local taxing districts would have cumulatively produced in
28 the year of consolidation or merger, if the consolidation or merger had not
29 occurred.

30 “(e)(A) If a local taxing district divides, the limit on the rate of ad

1 valorem property tax to be imposed by each local taxing district after divi-
2 sion shall be the same as the local taxing district's rate limit under para-
3 graph (b) of this subsection prior to division.

4 “(B) Notwithstanding subparagraph (A) of this paragraph, the limit de-
5 termined under this paragraph shall not be greater than the rate that would
6 have produced the same amount of ad valorem property tax revenue in the
7 year of division, had the division not occurred.

8 “(f) Rates of ad valorem property tax established under this subsection
9 may be carried to a number of decimal places provided by law and rounded
10 as provided by law.

11 “(g) Urban renewal levies described in this subsection shall be imposed
12 as provided in subsections (15) and (16) of this section and may not be im-
13 posed under this subsection.

14 “(h) Ad valorem property taxes described in this subsection shall be sub-
15 ject to the limitations described in section 11b of this Article, as modified
16 by subsection (11) of this section.

17 “(4)(a)(A) A local taxing district other than a school district may impose
18 a local option ad valorem property tax that exceeds the limitations imposed
19 under this section by submitting the question of the levy to voters in the
20 local taxing district and obtaining the approval of a majority of the voters
21 voting on the question.

22 “(B) The Legislative Assembly may enact laws permitting a school district
23 to impose a local option ad valorem property tax as otherwise provided under
24 this subsection.

25 “(b) A levy imposed pursuant to legislation enacted under this subsection
26 may be imposed for no more than five years, except that a levy for a capital
27 project may be imposed for no more than the lesser of the expected useful
28 life of the capital project or 10 years.

29 “(c) The voter participation requirements described in subsection (8) of
30 this section apply to an election held under this subsection.

1 “(5)(a) Any portion of a local taxing district levy shall not be subject to
2 reduction and limitation under paragraphs (a) and (b) of subsection (3) of
3 this section if that portion of the levy is used to repay:

4 “(A) Principal and interest for any bond issued before December 5, 1996,
5 and secured by a pledge or explicit commitment of ad valorem property taxes
6 or a covenant to levy or collect ad valorem property taxes;

7 “(B) Principal and interest for any other formal, written borrowing of
8 moneys executed before December 5, 1996, for which ad valorem property tax
9 revenues have been pledged or explicitly committed, or that are secured by
10 a covenant to levy or collect ad valorem property taxes;

11 “(C) Principal and interest for any bond issued to refund an obligation
12 described in subparagraph (A) or (B) of this paragraph; or

13 “(D) Local government pension and disability plan obligations that com-
14 mit ad valorem property taxes and to ad valorem property taxes imposed to
15 fulfill those obligations.

16 “(b)(A) A levy described in this subsection shall be imposed on assessed
17 value as otherwise provided by law in an amount sufficient to repay the debt
18 described in this subsection. Ad valorem property taxes may not be imposed
19 under this subsection that repay the debt at an earlier date or on a different
20 schedule than established in the agreement creating the debt.

21 “(B) A levy described in this subsection shall be subject to the limitations
22 imposed under section 11b of this Article, as modified by subsection (11) of
23 this section.

24 “(c)(A) As used in this subsection, ‘local government pension and disa-
25 bility plan obligations that commit ad valorem property taxes’ is limited to
26 contractual obligations for which the levy of ad valorem property taxes has
27 been committed by a local government charter provision that was in effect
28 on December 5, 1996, and, if in effect on December 5, 1996, as amended
29 thereafter.

30 “(B) The rates of ad valorem property taxes described in this paragraph

1 may be adjusted so that the maximum allowable rate is capable of raising
2 the revenue that the levy would have been authorized to raise if applied to
3 property valued at real market value.

4 “(C) Notwithstanding subparagraph (B) of this paragraph, ad valorem
5 property taxes described in this paragraph shall be taken into account for
6 purposes of the limitations in section 11b of this Article, as modified by
7 subsection (11) of this section.

8 “(D) If any proposed amendment to a charter described in subparagraph
9 (A) of this paragraph permits the ad valorem property tax levy for local
10 government pension and disability plan obligations to be increased, the
11 amendment must be approved by voters in an election. The voter partic-
12 ipation requirements described in subsection (8) of this section apply to an
13 election under this subparagraph. No amendment to any charter described
14 in this paragraph may cause ad valorem property taxes to exceed the limi-
15 tations of section 11b of this Article, as amended by subsection (11) of this
16 section.

17 “(d) If the levy described in this subsection was a tax base or other per-
18 manent continuing levy, other than a levy imposed for the purpose described
19 in subparagraph (D) of paragraph (a) of this subsection, prior to the effective
20 date of this section, for the tax year following the repayment of debt de-
21 scribed in this subsection the local taxing district’s rate of ad valorem
22 property tax established under paragraph (b) of subsection (3) of this section
23 shall be increased to the rate that would have been in effect had the levy
24 not been excepted from the reduction described in subsection (3) of this sec-
25 tion. No adjustment shall be made to the rate of ad valorem property tax of
26 local taxing districts other than the district imposing a levy under this sub-
27 section.

28 “(e) If this subsection would apply to a levy described in paragraph (d)
29 of this subsection, the local taxing district imposing the levy may elect out
30 of the provisions of this subsection. The levy of a local taxing district mak-

1 ing the election shall be included in the reduction and ad valorem property
2 tax rate determination described in subsection (3) of this section.

3 “(6)(a) The ad valorem property tax of a local taxing district, other than
4 a city, county or school district, that is used to support a hospital facility
5 shall not be subject to the reduction described in paragraph (a) of subsection
6 (3) of this section. The entire ad valorem property tax imposed under this
7 subsection for the tax year beginning July 1, 1997, shall be the local taxing
8 district’s permanent limit on the rate of ad valorem property taxes imposed
9 by the district under paragraph (b) of subsection (3) of this section.

10 “(b) Ad valorem property taxes described in this subsection shall be sub-
11 ject to the limitations imposed under section 11b of this Article, as modified
12 by subsection (11) of this section.

13 “(7) Notwithstanding any other existing or former provision of this Con-
14 stitution, the following are validated, ratified, approved and confirmed:

15 “(a) Any levy of ad valorem property taxes approved by a majority of
16 voters voting on the question in an election held before December 5, 1996,
17 if the election met the voter participation requirements described in sub-
18 section (8) of this section and the ad valorem property taxes were first im-
19 posed for the tax year beginning July 1, 1996, or July 1, 1997. A levy
20 described in this paragraph shall not be subject to reduction under paragraph
21 (a) of subsection (3) of this section but shall be taken into account in de-
22 termining the local taxing district’s permanent rate of ad valorem property
23 tax under paragraph (b) of subsection (3) of this section. This paragraph does
24 not apply to levies described in subsection (5) of this section or to levies to
25 pay bonded indebtedness described in section 11b of this Article, as modified
26 by subsection (11) of this section.

27 “(b) Any serial or one-year levy to replace an existing serial or one-year
28 levy approved by a majority of the voters voting on the question at an
29 election held after December 4, 1996, and to be first imposed for the tax year
30 beginning July 1, 1997, if the rate or the amount of the levy approved is not

1 greater than the rate or the amount of the levy replaced.

2 “(c) Any levy of ad valorem property taxes approved by a majority of
3 voters voting on the question in an election held on or after December 5,
4 1996, and before the effective date of this section if the election met the voter
5 participation requirements described in subsection (8) of this section and the
6 ad valorem property taxes were first imposed for the tax year beginning July
7 1, 1997. A levy described in this paragraph shall be treated as a local option
8 ad valorem property tax under subsection (4) of this section. This paragraph
9 does not apply to levies described in subsection (5) of this section or to levies
10 to pay bonded indebtedness described in section 11b of this Article, as mod-
11 ified by subsection (11) of this section.

12 “(8) An election described in subsection (3), (4), (5)(c)(D), (7)(a) or (c) or
13 (11) of this section shall authorize the matter upon which the election is
14 being held only if:

15 “(a) At least 50 percent of registered voters eligible to vote in the election
16 cast a ballot; or

17 “(b) The election is a general election in an even-numbered year.

18 “(9) The Legislative Assembly shall replace, from the state’s General
19 Fund, revenue lost by the public school system because of the limitations of
20 this section. The amount of the replacement revenue shall not be less than
21 the total replaced in fiscal year 1997-1998.

22 “(10)(a) As used in this section:

23 “(A) ‘Improvements’ includes new construction, reconstruction, major ad-
24 ditions, remodeling, renovation and rehabilitation, including installation, but
25 does not include minor construction or ongoing maintenance and repair.
26 **This subparagraph does not apply to paragraph (c) of subsection (1)**
27 **of this section.**

28 “(B) ‘Ad valorem property tax’ does not include taxes imposed to pay
29 principal and interest on bonded indebtedness described in paragraph (d) of
30 subsection (11) of this section.

1 “(b) In calculating the addition to value [*for new property and improve-*
2 *ments*] **under paragraph (c) of subsection (1) of this section**, the amount
3 added shall be net of the value of retired property.

4 “(11) For purposes of this section and for purposes of implementing the
5 limits in section 11b of this Article in tax years beginning on or after July
6 1, 1997:

7 “(a)(A) The real market value of property shall be the amount in cash
8 that could reasonably be expected to be paid by an informed buyer to an
9 informed seller, each acting without compulsion in an arm’s length trans-
10 action occurring as of the assessment date for the tax year, as established
11 by law.

12 “(B) The Legislative Assembly shall enact laws to adjust the real market
13 value of property to reflect a substantial casualty loss of value after the as-
14 sessment date.

15 “(b) The \$5 (public school system) and \$10 (other government) limits on
16 property taxes per \$1,000 of real market value described in subsection (1) of
17 section 11b of this Article shall be determined on the basis of property taxes
18 imposed in each geographic area taxed by the same local taxing districts.

19 “(c)(A) All property taxes described in this section are subject to the
20 limits described in paragraph (b) of this subsection, except for taxes de-
21 scribed in paragraph (d) of this subsection.

22 “(B) If property taxes exceed the limitations imposed under either cate-
23 gory of local taxing district under paragraph (b) of this subsection:

24 “(i) Any local option ad valorem property taxes imposed under this sub-
25 section shall be proportionally reduced by those local taxing districts within
26 the category that is imposing local option ad valorem property taxes; and

27 “(ii) After local option ad valorem property taxes have been eliminated,
28 all other ad valorem property taxes shall be proportionally reduced by those
29 taxing districts within the category, until the limits are no longer exceeded.

30 “(C) The percentages used to make the proportional reductions under

1 subparagraph (B) of this paragraph shall be calculated separately for each
2 category.

3 “(d) Bonded indebtedness, the taxes of which are not subject to limitation
4 under this section or section 11b of this Article, consists of:

5 “(A) Bonded indebtedness authorized by a provision of this Constitution;

6 “(B) Bonded indebtedness issued on or before November 6, 1990; or

7 “(C) Bonded indebtedness:

8 “(i) Incurred for capital construction or capital improvements; and

9 “(ii)(I) If issued after November 6, 1990, and approved prior to December
10 5, 1996, the issuance of which has been approved by a majority of voters
11 voting on the question; or

12 “(II) If approved by voters after December 5, 1996, the issuance of which
13 has been approved by a majority of voters voting on the question in an
14 election that is in compliance with the voter participation requirements in
15 subsection (8) of this section.

16 “(12) Bonded indebtedness described in subsection (11) of this section in-
17 cludes bonded indebtedness issued to refund bonded indebtedness described
18 in subsection (11) of this section.

19 “(13) As used in subsection (11) of this section, with respect to bonded
20 indebtedness issued on or after December 5, 1996, ‘capital construction’ and
21 ‘capital improvements’:

22 “(a) Include public safety and law enforcement vehicles with a projected
23 useful life of five years or more; and

24 “(b) Do not include:

25 “(A) Maintenance and repairs, the need for which could reasonably be
26 anticipated.

27 “(B) Supplies and equipment that are not intrinsic to the structure.

28 “(14) Ad valorem property taxes imposed to pay principal and interest on
29 bonded indebtedness described in section 11b of this Article, as modified by
30 subsection (11) of this section, shall be imposed on the assessed value of the

1 property determined under this section or, in the case of specially assessed
2 property, as otherwise provided by law or as limited by this section, which-
3 ever is applicable.

4 “(15) If ad valorem property taxes are divided as provided in section 1c,
5 Article IX of this Constitution, in order to fund a redevelopment or urban
6 renewal project, then notwithstanding subsection (1) of this section, the ad
7 valorem property taxes levied against the increase shall be used exclusively
8 to pay any indebtedness incurred for the redevelopment or urban renewal
9 project.

10 “(16) The Legislative Assembly shall enact laws that allow collection of
11 ad valorem property taxes sufficient to pay, when due, indebtedness incurred
12 to carry out urban renewal plans existing on December 5, 1996. These col-
13 lections shall cease when the indebtedness is paid. Unless excepted from
14 limitation under section 11b of this Article, as modified by subsection (11)
15 of this section, nothing in this subsection shall be construed to remove ad
16 valorem property taxes levied against the increase from the dollar limits in
17 paragraph (b) of subsection (11) of this section.

18 “(17)(a) If, in an election on November 5, 1996, voters approved a new tax
19 base for a local taxing district under repealed section 11 of this Article (1995
20 Edition) that was not to go into effect until the tax year beginning July 1,
21 1998, the local taxing district’s permanent rate limit under subsection (3) of
22 this section shall be recalculated for the tax year beginning on July 1, 1998,
23 to reflect:

24 “(A) Ad valorem property taxes that would have been imposed had re-
25 pealed section 11 of this Article (1995 Edition) remained in effect; and

26 “(B) Any other permanent continuing levies that would have been im-
27 posed under repealed section 11 of this Article (1995 Edition), as reduced by
28 subsection (3) of this section.

29 “(b) The rate limit determined under this subsection shall be the local
30 taxing district’s permanent rate limit for tax years beginning on or after July

1 1, 1999.

2 “(18) Section 32, Article I, and section 1, Article IX of this Constitution,
3 shall not apply to this section.

4 “(19)(a) The Legislative Assembly shall by statute limit the ability of lo-
5 cal taxing districts to impose new or additional fees, taxes, assessments or
6 other charges for the purpose of using the proceeds as alternative sources
7 of funding to make up for ad valorem property tax revenue reductions caused
8 by the initial implementation of this section, unless the new or additional
9 fee, tax, assessment or other charge is approved by voters.

10 “(b) This subsection shall not apply to new or additional fees, taxes, as-
11 sessments or other charges for a government product or service that a per-
12 son:

13 “(A) May legally obtain from a source other than government; and

14 “(B) Is reasonably able to obtain from a source other than government.

15 “(c) As used in this subsection, ‘new or additional fees, taxes, assessments
16 or other charges’ does not include moneys received by a local taxing district
17 as:

18 “(A) Rent or lease payments;

19 “(B) Interest, dividends, royalties or other investment earnings;

20 “(C) Fines, penalties and unitary assessments;

21 “(D) Amounts charged to and paid by another unit of government for
22 products, services or property; or

23 “(E) Payments derived from a contract entered into by the local taxing
24 district as a proprietary function of the local taxing district.

25 “(d) This subsection does not apply to a local taxing district that derived
26 less than 10 percent of the local taxing district’s operating revenues from
27 ad valorem property taxes, other than ad valorem property taxes imposed to
28 pay bonded indebtedness, during the fiscal year ending June 30, 1996.

29 “(e) An election under this subsection need not comply with the voter
30 participation requirements described in subsection (8) of this section.

1 “(20) If any provision of this section is determined to be unconstitutional
2 or otherwise invalid, the remaining provisions shall continue in full force
3 and effect.

4 **“SECTION 11m. (1)(a) Notwithstanding subparagraph (B) of para-**
5 **graph (c) of subsection (1) of section 11 of this Article, the Legislative**
6 **Assembly shall enact laws pursuant to which the assessed value of a**
7 **newly purchased primary residence of an eligible low income senior**
8 **citizen, as defined by law, is less than or equal to the assessed value,**
9 **as defined by law, of the prior primary residence owned by the low**
10 **income senior citizen in this state.**

11 **“(b) The Legislative Assembly shall enact laws establishing eligi-**
12 **bility requirements that conform to this section and an application**
13 **process for the benefit granted under this section.**

14 **“(2)(a) If the newly purchased primary residence and the prior pri-**
15 **mary residence are located in the same county, this section applies**
16 **only if:**

17 **“(A) The sales price of the prior primary residence does not exceed**
18 **the median real market value of similar property, as defined by law,**
19 **in the county; and**

20 **“(B) The purchase price of the newly purchased primary residence**
21 **does not exceed the sales price of the prior primary residence.**

22 **“(b) If the newly purchased primary residence and the prior primary**
23 **residence are located in different counties, this section applies only if:**

24 **“(A) The sales price of the prior primary residence does not exceed**
25 **the median real market value of similar property in the county in**
26 **which the prior primary residence is located; and**

27 **“(B) The purchase price of the newly purchased primary residence**
28 **does not exceed the median real market value of similar property in**
29 **the county in which the newly purchased primary residence is located.**

30 **“(3) This section applies:**

1 “(a) If the low income senior citizen purchases the new primary
2 residence within one calendar year after selling the prior primary
3 residence; and

4 “(b) For the first property tax year for which the low income senior
5 citizen is liable for property taxes assessed on the newly purchased
6 primary residence.

7 “SECTION 11n. (1)(a) The amendment to section 11 of this Article
8 by House Joint Resolution 13 (2013) applies to assessment years begin-
9 ning on or after January 1, 2017.

10 “(b) Subparagraph (B) of paragraph (c) of subsection (1) of section
11 11 of this Article applies to:

12 “(A) Sales or other transfers of real property that become final on
13 or after January 1, 2017.

14 “(B) New construction, major rehabilitation or major recon-
15 struction of real property or major additions to real property com-
16 menced on or after January 1, 2017.

17 “(2) The Legislative Assembly shall enact all laws necessary to im-
18 plement the amendment to section 11 of this Article by House Joint
19 Resolution 13 (2013).

20 “(3) This section is repealed on January 2, 2021.

21

22 “PARAGRAPH 2. The amendment proposed by this resolution shall
23 be submitted to the people for their approval or rejection at the next
24 regular general election held throughout this state.”.

25
