



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2011 REGULAR SESSION

HOUSE BILL NO. 244

FRIDAY, FEBRUARY 18, 2011

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 15, 2011
2:51 p.m.
ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY G. Kinsolving

1 AN ACT relating to property tax.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 →Section 1. KRS 132.810 is amended to read as follows:

4 (1) To qualify under the homestead exemption provision of the Constitution, each
5 person claiming the exemption shall file an application with the property valuation
6 administrator of the county in which the applicant resides, on forms prescribed by
7 the department~~[of Revenue]~~. The assessed value of property on which homestead
8 exemption is claimed shall not be increased because of valuation expressed on the
9 application form filed with the property valuation administrator, and whenever it
10 becomes known that the valuation of property subject to the homestead tax
11 exemption has been increased because of valuation expressed on the application
12 form, adjustment shall be made the following year so that the total tax paid by the
13 taxpayer is the same as if the increase had not been made.

14 (2) (a) Every person filing an application for exemption under the homestead
15 exemption provision must be sixty-five (65) years of age or older during the
16 year for which application is made or must have been classified as totally
17 disabled under a program authorized or administered by an agency of the
18 United States government or by any retirement system either within or without
19 the Commonwealth of Kentucky on January 1 of the year in which application
20 is made.

21 (b) Every person filing an application for exemption under the homestead
22 exemption provision must own and maintain the property for which the
23 exemption is sought as his personal residence.

24 (c) Every person filing an application for exemption under the disability provision
25 of the homestead exemption must have received disability payments pursuant
26 to the disability and must maintain the disability classification for the entirety
27 of the particular taxation period.

1 (d) 1. ~~[Except for a service-connected totally disabled veteran of the United~~
 2 ~~States Armed Forces,]~~ Every person filing for the homestead exemption
 3 who is totally disabled and is less than sixty-five (65) years of age must
 4 apply for the homestead exemption on an annual basis, except as
 5 provided by subparagraph 2. of this paragraph.

6 2. a. A service-connected totally disabled veteran of the United States
 7 Armed Forces; or

8 b. A totally and permanently disabled individual found disabled
 9 under:

10 i. The applicable rules of the Social Security Administration;

11 ii. The applicable rules of the Kentucky Retirement Systems;

12 or

13 iii. Any other provision of the Kentucky Revised Statutes;

14 shall document the disability at the time of application for the
 15 homestead exemption and shall not be required to apply for the
 16 homestead exemption on an annual basis.

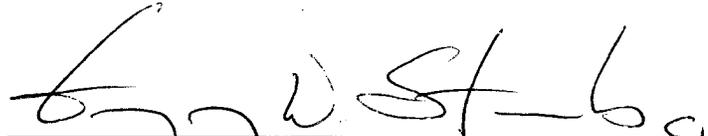
17 (e) 1. Only one (1) exemption per residential unit shall be allowed even
 18 though the resident may be sixty-five (65) years of age and also totally
 19 disabled, and regardless of the number of residents sixty-five (65) years
 20 of age or older occupying the unit, ~~[, but]~~

21 2. The sixty-five hundred dollars (\$6,500) exemption provided in Section
 22 170 of the Constitution of Kentucky shall be construed to mean sixty-
 23 five hundred dollars (\$6,500) in terms of the purchasing power of the
 24 dollar in 1972.

25 3. Every two (2) years thereafter, if the cost of living index of the United
 26 States Department of Labor has changed as much as one percent (1%),
 27 the maximum exemption shall be adjusted accordingly.

- 1 (f) The real property may be held by legal or equitable title, by the entireties,
2 jointly, in common, as a condominium, or indirectly by the stock ownership or
3 membership representing the owner's or member's proprietary interest in a
4 corporation owning a fee or a leasehold initially in excess of ninety-eight (98)
5 years. The exemption shall apply only to the value of the real property
6 assessable to the owner or, in case of ownership through stock or membership
7 in a corporation, the value of the proportion which his interest in the
8 corporation bears to the assessed value of the property.
- 9 (g) A mobile home, recreational vehicle, when classified as real property as
10 provided for in KRS 132.751, or a manufactured house shall qualify as a
11 residential unit for purposes of the homestead exemption provision.
- 12 (h) When title to property which is exempted, either in whole or in part, under the
13 homestead exemption is transferred, the owner, administrator, executor,
14 trustee, guardian, conservator, curator, or agent shall report such transfer to
15 the property valuation administrator.
- 16 (3) Notwithstanding any statutory provisions to the contrary, the provisions of this
17 section shall apply to the assessment and taxation of property under the homestead
18 exemption provision for state, county, city, or special district purposes.
- 19 (4) ~~[The provisions of this section shall become effective with the 1982 taxable year
20 and persons eligible for a homestead exemption under this section, who have
21 not previously filed under the age provision of the homestead exemption, shall
22 file applications by December 31 of the taxation period.]~~
- 23 (a) The homestead exemption for disabled persons shall terminate whenever
24 those persons no longer meet the total disability classification at the end of the
25 taxation period for which the homestead exemption has been granted. In no
26 case shall the exemption be prorated for persons who maintained the total
27 disability classification at the end of the taxation period.

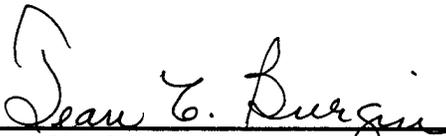
- 1 (b) Any totally disabled person granted the homestead exemption under the
2 disability provision shall report any change in disability classification to the
3 property valuation administrator in the county in which the homestead
4 exemption is authorized.
- 5 (c) Any person making application and qualifying for the homestead exemption
6 before payment of his property tax bills for the year in question shall be
7 entitled to a full or partial exoneration, as the case may be, of the property tax
8 due to reflect the taxable assessment after allowance for the homestead
9 exemption.
- 10 (d) Any person making application and qualifying for the homestead exemption
11 after property tax bills have been paid shall be entitled to a refund of the
12 property taxes applicable to the value of the homestead exemption.
- 13 (5) In this section, "taxation period" means the period from January 1 through
14 December 31 of the year in which application is made, unless the person
15 maintaining the classification dies before December 31, in which case "taxation
16 period" means the period from January 1 to the date of death.
- 17 ➔Section 2. This Act applies to property assessed on or after January 1, 2012.



Speaker-House of Representatives



President of Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date March 15, 2011