

ENROLLED HOUSE  
BILL NO. 2539

By: Davis of the House

and

Smith of the Senate

An Act relating to property; providing for the return of abandoned property when owner deceased; requiring certain proof for return of abandoned property; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 674.2 of Title 60, unless there is created a duplication in numbering, reads as follows:

If any person claims an interest in any property delivered to the Oklahoma Tax Commission in which the owner of the property is determined to be deceased, the Commission shall pay over or deliver to the claimant the property as provided in Section 651 et seq. of Title 60 of the Oklahoma Statutes upon receipt of the following:

1. A certified copy of letters of administration or letters testamentary from the probate of the estate of the decedent naming the claimant as the personal representative of the estate of the decedent; or
2. A certified copy of the decree of distribution from the probate of the estate of the decedent determining the claimant to be entitled to receive such property through the estate of the decedent; or
3. If the value of the property is Four Hundred Dollars (\$400.00) or less, a signed affidavit executed by the claimant stating that the claimant is entitled to receive such property, the reason the claimant is entitled to receive such property, that there has been no probate of the estate of the deceased owner, that no such probate is contemplated and that claimant will indemnify the state for any loss, including attorney fees, should another claimant assert a prior right to the property.

SECTION 2. This act shall become effective September 1, 1994.

Passed the House of Representatives the 19th day of May, 1994.

Speaker of the House of  
Representatives

Passed the Senate the 26th day of May, 1994.

President of the Senate