

ENROLLED SENATE
BILL NO. 395

By: Smith of the Senate

and

Askins of the House

An Act relating to property; amending 60 O.S. 1991, Section 754, which relates to place of filing disclaimer; clarifying language; stating docket in which disclaimer shall be filed; and providing an effective date.

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

SECTION 1. AMENDATORY 60 O.S. 1991, Section 754, is amended to read as follows:

Section 754. ~~Such~~ The disclaimer defined in Section 751 of this title shall be effective upon being filed on the miscellaneous docket in the office of the county clerk of any county court of the State of Oklahoma having in which the district court would have jurisdiction and venue of the matter. A copy of the disclaimer shall be delivered or mailed to the trustee of any trust in which the interest disclaimed exists or to ~~such~~ any other person as who has legal title to, or possession of, the property in which the interest disclaimed exists, and no such trustee or person shall be liable for any otherwise proper distribution or other disposition made without actual notice of the disclaimer. If an interest in or relating to real estate is disclaimed, the original of the disclaimer, or a copy of the disclaimer certified as true and complete by the custodian wherein the ~~same~~ disclaimer has been filed, shall also be filed with the county clerk in the county or counties where the real estate is situated and shall constitute notice to all persons only from and after the time of ~~such~~ the filing.

SECTION 2. This act shall become effective November 1, 2001.

Passed the Senate the 28th day of February, 2001.

Presiding Officer of the Senate

Passed the House of Representatives the 3rd day of April, 2001.

Presiding Officer of the House
of Representatives