

ENGROSSED SENATE AMENDMENTS  
TO  
ENGROSSED HOUSE  
BILL NO. 2223

By: Piatt of the House

and

Pruitt of the Senate

An Act relating to probate procedure; amending 58 O.S. 2001, Section 692, which relates to after acquiring property of a decedent and settlement of an estate; authorizing certain payments to certain heirs and beneficiaries; providing affidavit; providing certain restrictions and conditions; removing certain responsibilities from the person who pays, delivers, transfers or issues personal property; making person receiving the personal property liable; requiring certain duties; authorizing certain actions; prohibiting certain actions; providing penalties; authorizing certain procedures for after acquired property; repealing 6 O.S. 2001, Section 906, which relates to bank deposits and certain transfers to heirs; providing for codification; and providing an effective date.

AMENDMENT NO. 1. Page 1, line 28, after the word "be" and before the word "known" delete the word "the" and insert the word "a"

AMENDMENT NO. 2. Page 2, line 2, after the word "exceed" and before the semicolon on line 3 delete all language and insert the language "Twenty Thousand Dollars (\$20,000.00)"

AMENDMENT NO. 3. Page 3, line 13 1/2, insert a new Section 2 to read

"SECTION 2. AMENDATORY 58 O.S. 2001, Section 393, is amended to read as follows:

Section 393. A. At any time ten (10) or more days after the date of death of a decedent, any person indebted to the decedent or having possession of real property, tangible personal property or an instrument evidencing a debt, obligation, stock, chose in action, or stock brand belonging to the decedent shall make payment of the indebtedness, shall execute and deliver documentation necessary to transfer real property, or shall deliver the tangible personal

property or an instrument evidencing a debt, obligation, stock, chose in action, or stock brand to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating that:

1. The fair market value of property located in this state owned by the decedent and subject to disposition by will or intestate succession at the time of the decedent's death, less liens and encumbrances, does not exceed ~~Ten Thousand Dollars (\$10,000.00)~~ Twenty Thousand Dollars (\$20,000.00);

2. No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;

3. Each claiming successor is entitled to payment or delivery of the property in the respective proportions set forth in the affidavit; and

4. All taxes and debts of the estate have been paid or otherwise provided for or are barred by limitations.

B. A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection A of this section.

C. The public official having cognizance over the registered title of any real or personal property of the decedent shall change the registered ownership from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection A of this section."

and renumber subsequent sections

and amend the title to conform

Passed the Senate the 21st day of April, 2004.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2004.

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Presiding Officer of the House  
of Representatives