

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 2270

6 By: Crain

7 COMMITTEE SUBSTITUTE

8 [ property - transfer-on-death deed - affidavit -  
9 effective date ]

10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY Section 2, Chapter 78, O.S.L. 2008  
13 (58 O.S. Supp. 2009, Section 1252), is amended to read as follows:

14 Section 1252. A. An interest in real estate may be titled in  
15 transfer-on-death form by recording a deed, signed by the record  
16 owner of the interest, designating a grantee beneficiary or  
17 beneficiaries of the interest. The deed shall transfer ownership of  
18 the interest upon the death of the owner. A transfer-on-death deed  
19 need not be supported by consideration.

20 B. The signature, consent or agreement of or notice to a  
21 grantee beneficiary or beneficiaries of a transfer-on-death deed  
22 shall not be required for any purpose during the lifetime of the  
23 record owner.

1        C. To accept real estate pursuant to a transfer-on-death deed,  
2 a designated grantee beneficiary shall execute a notarized affidavit  
3 affirming:

- 4            1. Verification of the record owner's death;  
5            2. Whether the record owner and the designated beneficiary were  
6 married at the time of the record owner's death; and  
7            3. A legal description of the real estate.

8            If the grantee beneficiary was not the record owner's spouse, he  
9 or she shall attach a copy of the record owner's death certificate  
10 and an estate tax release to the beneficiary affidavit. The  
11 beneficiary shall record the affidavit and related documents with  
12 the office of the county clerk where the real estate is located.

13        SECTION 2. This act shall become effective November 1, 2010.

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