

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2204

By: Ivester

4  
5 AS INTRODUCED

6 An Act relating to guardian and ward; creating the  
7 Uniform Adult Guardianship and Protective Proceedings  
8 Act; providing short title; defining terms;  
9 authorizing court to treat foreign country as state  
10 for specified purpose; allowing certain  
11 communication; providing for cooperation between  
12 courts of different states; establishing requirements  
13 for out-of-state testimony; stating requirements for  
14 certain jurisdiction; requiring dismissal under  
15 certain circumstances; allowing decline of  
16 jurisdiction under certain circumstances; requiring  
17 consideration of certain factors; allowing decline of  
18 jurisdiction for certain conduct; requiring certain  
19 notice; establishing procedures for certain  
20 proceedings in more than one state; establishing  
21 procedures for transfer of certain guardianship or  
22 conservatorship; establishing requirements to accept  
23 transferred guardianship or conservatorship;  
24 authorizing registration of certain orders; stating  
effects of certain registration; construing  
provisions; stating effect on certain federal act;  
stating applicability of act; providing for  
codification; and providing an effective date.

18  
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 ARTICLE 1

21 GENERAL PROVISIONS

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3-301 of Title 30, unless there  
24 is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Uniform Adult  
2 Guardianship and Protective Proceedings Jurisdiction Act".

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3-302 of Title 30, unless there  
5 is created a duplication in numbering, reads as follows:

6 As used in the Uniform Adult Guardianship and Protective  
7 Proceedings Jurisdiction Act:

8 (1) "Adult" means an individual who has attained eighteen (18)  
9 years of age;

10 (2) "Conservator" means a person appointed by the court to  
11 administer the property of an adult;

12 (3) "Guardian" means a person appointed by the court to make  
13 decisions regarding the person of an adult;

14 (4) "Guardianship order" means an order appointing a guardian;

15 (5) "Guardianship proceeding" means a judicial proceeding in  
16 which an order for the appointment of a guardian is sought or has  
17 been issued;

18 (6) "Incapacitated person" means an adult for whom a guardian  
19 has been appointed;

20 (7) "Party" means the respondent, petitioner, guardian,  
21 conservator, or any other person allowed by the court to participate  
22 in a guardianship or protective proceeding;

23 (8) "Person," except in the term incapacitated person or  
24 protected person, means an individual, corporation, business trust,

1 estate, trust, partnership, limited liability company, association,  
2 joint venture, public corporation, government or governmental  
3 subdivision, agency, or instrumentality, or any other legal or  
4 commercial entity;

5 (9) "Protected person" means an adult for whom a protective  
6 order has been issued;

7 (10) "Protective order" means an order appointing a conservator  
8 or other order related to management of an adult's property;

9 (11) "Protective proceeding" means a judicial proceeding in  
10 which a protective order is sought or has been issued;

11 (12) "Record" means information that is inscribed on a tangible  
12 medium or that is stored in an electronic or other medium and is  
13 retrievable in perceivable form;

14 (13) "Respondent" means an adult for whom a protective order or  
15 the appointment of a guardian is sought; and

16 (14) "State" means a state of the United States, the District  
17 of Columbia, Puerto Rico, the United States Virgin Islands, a  
18 federally recognized Indian tribe, or any territory or insular  
19 possession subject to the jurisdiction of the United States.

20 SECTION 3. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 3-303 of Title 30, unless there  
22 is created a duplication in numbering, reads as follows:

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1 A court of this state may treat a foreign country as if it were  
2 a state for the purpose of applying this article and Articles 2, 3  
3 and 5 of this act.

4 SECTION 4. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 3-304 of Title 30, unless there  
6 is created a duplication in numbering, reads as follows:

7 (a) A court of this state may communicate with a court in  
8 another state concerning a proceeding arising under this act. The  
9 court may allow the parties to participate in the communication.  
10 Except as otherwise provided in subsection (b) of this section, the  
11 court shall make a record of the communication. The record may be  
12 limited to the fact that the communication occurred.

13 (b) Courts may communicate concerning schedules, calendars,  
14 court records, and other administrative matters without making a  
15 record.

16 SECTION 5. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3-305 of Title 30, unless there  
18 is created a duplication in numbering, reads as follows:

19 (a) In a guardianship or protective proceeding in this state, a  
20 court of this state may request the appropriate court of another  
21 state to do any of the following:

22 (1) Hold an evidentiary hearing;

23 (2) Order a person in that state to produce evidence or give  
24 testimony pursuant to procedures of that state;

1 (3) Order that an evaluation or assessment be made of the  
2 respondent;

3 (4) Order any appropriate investigation of a person involved in  
4 a proceeding;

5 (5) Forward to the court of this state a certified copy of the  
6 transcript or other record of a hearing under paragraph (1) of this  
7 subsection or any other proceeding, any evidence otherwise produced  
8 under paragraph (2) of this subsection, and any evaluation or  
9 assessment prepared in compliance with an order under paragraph (3)  
10 or (4) of this subsection;

11 (6) Issue any order necessary to assure the appearance in the  
12 proceeding of a person whose presence is necessary for the court to  
13 make a determination, including the respondent or the incapacitated  
14 or protected person;

15 (7) Issue an order authorizing the release of medical,  
16 financial, criminal, or other relevant information in that state,  
17 including protected health information as defined in 45 C.F.R.  
18 Section 164.504, as amended.

19 (b) If a court of another state in which a guardianship or  
20 protective proceeding is pending requests assistance of the kind  
21 provided in subsection (a) of this section, a court of this state  
22 has jurisdiction for the limited purpose of granting the request or  
23 making reasonable efforts to comply with the request.

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1 SECTION 6. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3-306 of Title 30, unless there  
3 is created a duplication in numbering, reads as follows:

4 (a) In a guardianship or protective proceeding, in addition to  
5 other procedures that may be available, testimony of a witness who  
6 is located in another state may be offered by deposition or other  
7 means allowable in this state for testimony taken in another state.  
8 The court on its own motion may order that the testimony of a  
9 witness be taken in another state and may prescribe the manner in  
10 which and the terms upon which the testimony is to be taken.

11 (b) In a guardianship or protective proceeding, a court in this  
12 state may permit a witness located in another state to be deposed or  
13 to testify by telephone or audiovisual or other electronic means. A  
14 court of this state shall cooperate with the court of the other  
15 state in designating an appropriate location for the deposition or  
16 testimony.

17 (c) Documentary evidence transmitted from another state to a  
18 court of this state by technological means that do not produce an  
19 original writing may not be excluded from evidence on an objection  
20 based on the best evidence rule.

21 ARTICLE 2

22 JURISDICTION  
23  
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1 SECTION 7. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3-307 of Title 30, unless there  
3 is created a duplication in numbering, reads as follows:

4 (a) In this article:

5 (1) "Emergency" means a circumstance that likely will result in  
6 substantial harm to a respondent's health, safety, or welfare, and  
7 for which the appointment of a guardian is necessary because no  
8 other person has authority and is willing to act on the respondent's  
9 behalf;

10 (2) "Home state" means the state in which the respondent was  
11 physically present, including any period of temporary absence, for  
12 at least six (6) consecutive months immediately before the filing of  
13 a petition for a protective order or the appointment of a guardian;  
14 or if none, the state in which the respondent was physically  
15 present, including any period of temporary absence, for at least six  
16 (6) consecutive months ending within the six (6) months prior to the  
17 filing of the petition; and

18 (3) "Significant-connection state" means a state, other than  
19 the home state, with which a respondent has a significant connection  
20 other than mere physical presence and in which substantial evidence  
21 concerning the respondent is available.

22 (b) In determining under Section 9 and subsection (e) of  
23 Section 16 of this act whether a respondent has a significant  
24 connection with a particular state, the court shall consider:

1 (1) The location of the respondent's family and other persons  
2 required to be notified of the guardianship or protective  
3 proceeding;

4 (2) The length of time the respondent at any time was  
5 physically present in the state and the duration of any absence;

6 (3) The location of the respondent's property; and

7 (4) The extent to which the respondent has ties to the state  
8 such as voting registration, state or local tax return filing,  
9 vehicle registration, driver's license, social relationship, and  
10 receipt of services.

11 SECTION 8. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 3-308 of Title 30, unless there  
13 is created a duplication in numbering, reads as follows:

14 This article provides the exclusive jurisdictional basis for a  
15 court of this state to appoint a guardian or issue a protective  
16 order for an adult.

17 SECTION 9. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 3-309 of Title 30, unless there  
19 is created a duplication in numbering, reads as follows:

20 A court of this state has jurisdiction to appoint a guardian or  
21 issue a protective order for a respondent if:

22 (1) This state is the respondent's home state;

23 (2) On the date the petition is filed, this state is a  
24 significant-connection state and:



1 (A) the respondent does not have a home state or a court  
2 of the respondent's home state has declined to  
3 exercise jurisdiction because this state is a more  
4 appropriate forum, or

5 (B) the respondent has a home state, a petition for an  
6 appointment or order is not pending in a court of that  
7 state or another significant-connection state, and,  
8 before the court makes the appointment or issues the  
9 order:

10 (i) a petition for an appointment or order is not  
11 filed in the respondent's home state,

12 (ii) an objection to the court's jurisdiction is not  
13 filed by a person required to be notified of the  
14 proceeding, and

15 (iii) the court in this state concludes that it is an  
16 appropriate forum under the factors set forth in  
17 Section 12 of this act;

18 (3) This state does not have jurisdiction under either  
19 paragraph (1) or (2) of this subsection, the respondent's home state  
20 and all significant-connection states have declined to exercise  
21 jurisdiction because this state is the more appropriate forum, and  
22 jurisdiction in this state is consistent with the constitutions of  
23 this state and the United States; or  
24

1 (4) The requirements for special jurisdiction under Section 10  
2 of this act are met.

3 SECTION 10. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3-310 of Title 30, unless there  
5 is created a duplication in numbering, reads as follows:

6 (a) A court of this state lacking jurisdiction under paragraphs  
7 (1) through (3) of Section 9 of this act has special jurisdiction to  
8 do any of the following:

9 (1) Appoint a guardian in an emergency for a term not to exceed  
10 ninety (90) days for a respondent who is physically present in this  
11 state;

12 (2) Issue a protective order with respect to real or tangible  
13 personal property located in this state;

14 (3) Appoint a guardian or conservator for an incapacitated or  
15 protected person for whom a provisional order to transfer the  
16 proceeding from another state has been issued under procedures  
17 similar to Section 16 of this act.

18 (b) If a petition for the appointment of a guardian in an  
19 emergency is brought in this state and this state was not the  
20 respondent's home state on the date the petition was filed, the  
21 court shall dismiss the proceeding at the request of the court of  
22 the home state, if any, whether dismissal is requested before or  
23 after the emergency appointment.

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1 SECTION 11. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3-311 of Title 30, unless there  
3 is created a duplication in numbering, reads as follows:

4 Except as otherwise provided in Section 10 of this act, a court  
5 that has appointed a guardian or issued a protective order  
6 consistent with this act has exclusive and continuing jurisdiction  
7 over the proceeding until it is terminated by the court or the  
8 appointment or order expires by its own terms.

9 SECTION 12. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 3-312 of Title 30, unless there  
11 is created a duplication in numbering, reads as follows:

12 (a) A court of this state having jurisdiction under Section 9  
13 of this act to appoint a guardian or issue a protective order may  
14 decline to exercise its jurisdiction if it determines at any time  
15 that a court of another state is a more appropriate forum.

16 (b) If a court of this state declines to exercise its  
17 jurisdiction under subsection (a) of this section, it shall either  
18 dismiss or stay the proceeding. The court may impose any condition  
19 the court considers just and proper, including the condition that a  
20 petition for the appointment of a guardian or issuance of a  
21 protective order be filed promptly in another state.

22 (c) In determining whether it is an appropriate forum, the  
23 court shall consider all relevant factors, including:

24 (1) Any expressed preference of the respondent;

1 (2) Whether abuse, neglect, or exploitation of the respondent  
2 has occurred or is likely to occur and which state could best  
3 protect the respondent from the abuse, neglect, or exploitation;

4 (3) The length of time the respondent was physically present in  
5 or was a legal resident of this or another state;

6 (4) The distance of the respondent from the court in each  
7 state;

8 (5) The financial circumstances of the respondent's estate;

9 (6) The nature and location of the evidence;

10 (7) The ability of the court in each state to decide the issue  
11 expeditiously and the procedures necessary to present evidence;

12 (8) The familiarity of the court of each state with the facts  
13 and issues in the proceeding; and

14 (9) If an appointment were made, the court's ability to monitor  
15 the conduct of the guardian or conservator.

16 SECTION 13. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3-313 of Title 30, unless there  
18 is created a duplication in numbering, reads as follows:

19 (a) If at any time a court of this state determines that it  
20 acquired jurisdiction to appoint a guardian or issue a protective  
21 order because of unjustifiable conduct, the court may:

22 (1) Decline to exercise jurisdiction;

23 (2) Exercise jurisdiction for the limited purpose of fashioning  
24 an appropriate remedy to ensure the health, safety, and welfare of

1 the respondent or the protection of the respondent's property or  
2 prevent a repetition of the unjustifiable conduct, including staying  
3 the proceeding until a petition for the appointment of a guardian or  
4 issuance of a protective order is filed in a court of another state  
5 having jurisdiction; or

6 (3) Continue to exercise jurisdiction after considering:

7 (A) the extent to which the respondent and all persons  
8 required to be notified of the proceedings have  
9 acquiesced in the exercise of the court's  
10 jurisdiction;

11 (B) whether it is a more appropriate forum than the court  
12 of any other state under the factors set forth in  
13 subsection (c) of Section 12 of this act; and

14 (C) whether the court of any other state would have  
15 jurisdiction under factual circumstances in  
16 substantial conformity with the jurisdictional  
17 standards of Section 9 of this act.

18 (b) If a court of this state determines that it acquired  
19 jurisdiction to appoint a guardian or issue a protective order  
20 because a party seeking to invoke its jurisdiction engaged in  
21 unjustifiable conduct, it may assess against that party necessary  
22 and reasonable expenses, including attorney's fees, investigative  
23 fees, court costs, communication expenses, witness fees and  
24 expenses, and travel expenses. The court may not assess fees,

1 costs, or expenses of any kind against this state or a governmental  
2 subdivision, agency, or instrumentality of this state unless  
3 authorized by law other than this act.

4 SECTION 14. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 3-314 of Title 30, unless there  
6 is created a duplication in numbering, reads as follows:

7 If a petition for the appointment of a guardian or issuance of a  
8 protective order is brought in this state and this state was not the  
9 respondent's home state on the date the petition was filed, in  
10 addition to complying with the notice requirements of this state,  
11 notice of the petition shall be given to those persons who would be  
12 entitled to notice of the petition if a proceeding were brought in  
13 the respondent's home state. The notice shall be given in the same  
14 manner as notice is required to be given in this state.

15 SECTION 15. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 3-315 of Title 30, unless there  
17 is created a duplication in numbering, reads as follows:

18 Except for a petition for the appointment of a guardian in an  
19 emergency or issuance of a protective order limited to property  
20 located in this state under paragraph (1) or (2) of subsection (a)  
21 of Section 10 of this act, if a petition for the appointment of a  
22 guardian or issuance of a protective order is filed in this state  
23 and in another state and neither petition has been dismissed or  
24 withdrawn, the following rules apply:

1 (1) If the court in this state has jurisdiction under Section 9  
2 of this act, it may proceed with the case unless a court in another  
3 state acquires jurisdiction under provisions similar to Section 9 of  
4 this act before the appointment or issuance of the order.

5 (2) If the court in this state does not have jurisdiction under  
6 Section 9 of this act, whether at the time the petition is filed or  
7 at any time before the appointment or issuance of the order, the  
8 court shall stay the proceeding and communicate with the court in  
9 the other state. If the court in the other state has jurisdiction,  
10 the court in this state shall dismiss the petition unless the court  
11 in the other state determines that the court in this state is a more  
12 appropriate forum.

13 ARTICLE 3

14 TRANSFER OF GUARDIANSHIP OR CONSERVATORSHIP

15 SECTION 16. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 3-316 of Title 30, unless there  
17 is created a duplication in numbering, reads as follows:

18 (a) A guardian or conservator appointed in this state may  
19 petition the court to transfer the guardianship or conservatorship  
20 to another state.

21 (b) Notice of a petition under subsection (a) of this section  
22 shall be given to the persons that would be entitled to notice of a  
23 petition in this state for the appointment of a guardian or  
24 conservator.

1 (c) On the court's own motion or on request of the guardian or  
2 conservator, the incapacitated or protected person, or other person  
3 required to be notified of the petition, the court shall hold a  
4 hearing on a petition filed pursuant to subsection (a) of this  
5 section.

6 (d) The court shall issue an order provisionally granting a  
7 petition to transfer a guardianship and shall direct the guardian to  
8 petition for guardianship in the other state if the court is  
9 satisfied that the guardianship will be accepted by the court in the  
10 other state and the court finds that:

11 (1) The incapacitated person is physically present in or is  
12 reasonably expected to move permanently to the other state;

13 (2) An objection to the transfer has not been made or, if an  
14 objection has been made, the objector has not established that the  
15 transfer would be contrary to the interests of the incapacitated  
16 person; and

17 (3) Plans for care and services for the incapacitated person in  
18 the other state are reasonable and sufficient.

19 (e) The court shall issue a provisional order granting a  
20 petition to transfer a conservatorship and shall direct the  
21 conservator to petition for conservatorship in the other state if  
22 the court is satisfied that the conservatorship will be accepted by  
23 the court of the other state and the court finds that:

24



1 (1) The protected person is physically present in or is  
2 reasonably expected to move permanently to the other state, or the  
3 protected person has a significant connection to the other state  
4 considering the factors in subsection (b) of Section 7 of this act;

5 (2) An objection to the transfer has not been made or, if an  
6 objection has been made, the objector has not established that the  
7 transfer would be contrary to the interests of the protected  
8 person; and

9 (3) Adequate arrangements will be made for management of the  
10 protected person's property.

11 (f) The court shall issue a final order confirming the transfer  
12 and terminating the guardianship or conservatorship upon its receipt  
13 of:

14 (1) A provisional order accepting the proceeding from the court  
15 to which the proceeding is to be transferred which is issued under  
16 provisions similar to Section 17 of this act; and

17 (2) The documents required to terminate a guardianship or  
18 conservatorship in this state.

19 SECTION 17. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 3-317 of Title 30, unless there  
21 is created a duplication in numbering, reads as follows:

22 (a) To confirm transfer of a guardianship or conservatorship  
23 transferred to this state under provisions similar to Section 16 of  
24 this act, the guardian or conservator shall petition the court in

1 this state to accept the guardianship or conservatorship. The  
2 petition shall include a certified copy of the other state's  
3 provisional order of transfer.

4 (b) Notice of a petition under subsection (a) of this section  
5 shall be given to those persons that would be entitled to notice if  
6 the petition were a petition for the appointment of a guardian or  
7 issuance of a protective order in both the transferring state and  
8 this state. The notice shall be given in the same manner as notice  
9 is required to be given in this state.

10 (c) On the court's own motion or on request of the guardian or  
11 conservator, the incapacitated or protected person, or other person  
12 required to be notified of the proceeding, the court shall hold a  
13 hearing on a petition filed pursuant to subsection (a) of this  
14 section.

15 (d) The court shall issue an order provisionally granting a  
16 petition filed under subsection (a) of this section unless:

17 (1) An objection is made and the objector establishes that  
18 transfer of the proceeding would be contrary to the interests of the  
19 incapacitated or protected person; or

20 (2) The guardian or conservator is ineligible for appointment  
21 in this state.

22 (e) The court shall issue a final order accepting the  
23 proceeding and appointing the guardian or conservator as guardian or  
24 conservator in this state upon its receipt from the court from which

1 the proceeding is being transferred of a final order issued under  
2 provisions similar to Section 16 of this act transferring the  
3 proceeding to this state.

4 (f) Not later than ninety (90) days after issuance of a final  
5 order accepting transfer of a guardianship or conservatorship, the  
6 court shall determine whether the guardianship or conservatorship  
7 needs to be modified to conform to the law of this state.

8 (g) In granting a petition under this section, the court shall  
9 recognize a guardianship or conservatorship order from the other  
10 state, including the determination of the incapacitated or protected  
11 person's incapacity and the appointment of the guardian or  
12 conservator.

13 (h) The denial by a court of this state of a petition to accept  
14 a guardianship or conservatorship transferred from another state  
15 does not affect the ability of the guardian or conservator to seek  
16 appointment as guardian or conservator in this state under Section  
17 3-101 of Title 30 of the Oklahoma Statutes if the court has  
18 jurisdiction to make an appointment other than by reason of the  
19 provisional order of transfer.

20 ARTICLE 4

21 REGISTRATION AND RECOGNITION OF ORDERS FROM OTHER STATES

22 SECTION 18. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3-318 of Title 30, unless there  
24 is created a duplication in numbering, reads as follows:

1 If a guardian has been appointed in another state and a petition  
2 for the appointment of a guardian is not pending in this state, the  
3 guardian appointed in the other state, after giving notice to the  
4 appointing court of an intent to register, may register the  
5 guardianship order in this state by filing as a foreign judgment in  
6 a court, in any appropriate county of this state, certified copies  
7 of the order and letters of office.

8 SECTION 19. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 3-319 of Title 30, unless there  
10 is created a duplication in numbering, reads as follows:

11 If a conservator has been appointed in another state and a  
12 petition for a protective order is not pending in this state, the  
13 conservator appointed in the other state, after giving notice to the  
14 appointing court of an intent to register, may register the  
15 protective order in this state by filing as a foreign judgment in a  
16 court of this state, in any county in which property belonging to  
17 the protected person is located, certified copies of the order and  
18 letters of office and of any bond.

19 SECTION 20. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 3-320 of Title 30, unless there  
21 is created a duplication in numbering, reads as follows:

22 (a) Upon registration of a guardianship or protective order  
23 from another state, the guardian or conservator may exercise in this  
24 state all powers authorized in the order of appointment except as

1 prohibited under the laws of this state, including maintaining  
2 actions and proceedings in this state and, if the guardian or  
3 conservator is not a resident of this state, subject to any  
4 conditions imposed upon nonresident parties.

5 (b) A court of this state may grant any relief available under  
6 this act and other law of this state to enforce a registered order.

7 ARTICLE 5

8 MISCELLANEOUS PROVISIONS

9 SECTION 21. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 3-321 of Title 30, unless there  
11 is created a duplication in numbering, reads as follows:

12 In applying and construing this uniform act, consideration must  
13 be given to the need to promote uniformity of the law with respect  
14 to its subject matter among states that enact it.

15 SECTION 22. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 3-322 of Title 30, unless there  
17 is created a duplication in numbering, reads as follows:

18 This act modifies, limits, and supersedes the federal Electronic  
19 Signatures in Global and National Commerce Act, 15 U.S.C. Section  
20 7001, et seq., but does not modify, limit, or supersede Section  
21 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize  
22 electronic delivery of any of the notices described in Section  
23 103(b) of that act, 15 U.S.C. Section 7003(b).

24

1 SECTION 23. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3-323 of Title 30, unless there  
3 is created a duplication in numbering, reads as follows:

4 (a) This act applies to guardianship and protective proceedings  
5 begun on or after the effective date of this act.

6 (b) Articles 1, 3, and 4 and Sections 21 and 22 of this act  
7 apply to proceedings begun before the effective date of this act,  
8 regardless of whether a guardianship or protective order has been  
9 issued.

10 SECTION 24. This act shall become effective November 1, 2010.

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