

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2268

By: Nichols

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5
6 AS INTRODUCED

7 An Act relating to wills and succession; amending 84
8 O.S. 2001, Section 22, which relates to disclaimer of
9 interests passing by will and intestate succession;
making language gender neutral; and providing an
effective date.

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

13 SECTION 1. AMENDATORY 84 O.S. 2001, Section 22, is
14 amended to read as follows:

15 Section 22. As used in this act, unless otherwise clearly
16 required by the context:

17 1. "Beneficiary" means and includes any person entitled, but
18 for his or her disclaimer, to take an interest, by intestate
19 succession; by devise; by legacy or bequest; by succession of a
20 disclaimed interest by will, intestate succession or through the
21 exercise or nonexercise of a testamentary power of appointment; by
22 virtue of a renunciation and election to take against a will; as
23 beneficiary of a testamentary trust; pursuant to the exercise or
24 nonexercise of a testamentary power of appointment; as donee of a

1 power of appointment created by testamentary instrument; or
2 otherwise under a testamentary instrument;

3 2. "Interest" means and includes the whole of any property,
4 real or personal, legal or equitable, or any fractional part, share
5 or particular portion or specific assets thereof or any estate in
6 any such property or power to appoint, consume, apply or expend
7 property or any other right, power, privilege or immunity relating
8 thereto; and

9 3. "Disclaimer" means a written instrument which declines,
10 refuses, releases, renounces or disclaims an interest which would
11 otherwise be succeeded to by a beneficiary, which instrument defines
12 the nature and extent of the interest disclaimed thereby and which
13 must be signed, witnessed and acknowledged by the disclaimant in the
14 manner provided for deeds of real estate.

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

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