

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1730

By: McCall

COMMITTEE SUBSTITUTE

An Act relating to probate procedure; amending 58
O.S. 2011, Section 941, which relates to presumption
of death; modifying presumption of death
requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 58 O.S. 2011, Section 941, is
amended to read as follows:

Section 941. Presumption of death - Any person missing from his
usual place of residence and whose address is unknown by his or her
family or those who, in the ordinary course of events, would be
expected to know his whereabouts, who is continuously absent ~~and,~~
unheard of for a period of ~~seven (7)~~ two (2) years or longer and
entered into the National Missing and Unidentified Persons System
with all identifiers, including dental records, fingerprints and
DNA, for a minimum of six (6) months prior to declaration of death,

1 shall be presumed to be dead and the district court, after the
2 expiration of such period, shall have jurisdiction and authority to
3 declare such person to be legally dead and to issue letters
4 testamentary or letters of administration upon the estates of such
5 persons.

6 SECTION 2. This act shall become effective November 1, 2020.

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