

1 ENGROSSED HOUSE
2 BILL NO. 1730

By: McCall of the House

3 and

4 Bullard of the Senate

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7 An Act relating to probate procedure; amending 58
8 O.S. 2011, Section 941, which relates to presumption
9 of death; modifying presumption of death
10 requirements; 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 58 O.S. 2011, Section 941, is
14 amended to read as follows:

15 Section 941. Presumption of death - Any person missing from his
16 or her usual place of residence and whose address is unknown by his
17 or her family or those who, in the ordinary course of events, would
18 be expected to know his or her whereabouts, who is continuously
19 absent ~~and~~, unheard of for a period of ~~seven (7)~~ two (2) years or
20 longer and entered into the National Missing and Unidentified
21 Persons System with all identifiers, including dental records,
22 fingerprints and DNA, for a minimum of six (6) months prior to
23 declaration of death, shall be presumed to be dead and the district
24 court, after the expiration of such period, shall have jurisdiction

1 and authority to declare such person to be legally dead and to issue
2 letters testamentary or letters of administration upon the ~~estates~~
3 estate of such ~~persons~~ person.

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

5 Passed the House of Representatives the 9th day of March, 2020.

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8 Presiding Officer of the House
of Representatives

9 Passed the Senate the ____ day of _____, 2020.

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12 Presiding Officer of the Senate