

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1730

By: McCall

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9 COMMITTEE SUBSTITUTE

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

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

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

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

1 DNA, for a minimum of six (6) months prior to declaration of death,
2 shall be presumed to be dead and the district court, after the
3 expiration of such period, shall have jurisdiction and authority to
4 declare such person to be legally dead and to issue letters
5 testamentary or letters of administration upon the estates of such
6 persons.

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

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9 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/25/2020 - DO PASS,
10 As Amended.
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