

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 2916

By: Loring

7 AS INTRODUCED

8 An Act relating to probate; amending 58 O.S. 2011,
9 Section 5, which relates to venue of probate acts;
10 prioritizing venue for probate actions; providing an
11 effective date; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 58 O.S. 2011, Section 5, is
15 amended to read as follows:

16 Section 5. Wills must be proved, and letters testamentary or of
17 administration granted in the following applicable situations:

18 1. ~~In~~ First, in the county of which the decedent was a resident
19 at the time of his or her death, regardless where he or she died;

20 2. ~~In~~ Second, in the county in which the decedent died, leaving
21 an estate therein, the deceased not being a resident of this state;

22 3. ~~In~~ Third, in the county in which any part of the estate of
23 the deceased may be, where the decedent died out of this state, and
24

1 the decedent was not a resident of this state at the time of his or
2 her death-;

3 4. ~~In~~ Fourth, in the county in which any part of the estate may
4 be and the decedent was not a resident of this state, but died
5 within it, and did not leave an estate in the county in which he or
6 she died-; and

7 5. ~~In~~ Fifth, in all other cases, in the county where
8 application for letters is first made.

9 SECTION 2. This act shall become effective July 1, 2020.

10 SECTION 3. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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15 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/25/2020 - DO
16 PASS.