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February 6, 2024

**AS AMENDED**

SENATE BILL NO. 1593

By: Daniels

An Act relating to probate procedure; amending 58 O.S. 2021, Sections 102 and 126, which relate to incompetent executors and administrators; modifying conditions for disqualification; making language gender neutral; and providing an effective date.

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

SECTION 1. AMENDATORY 58 O.S. 2021, Section 102, is amended to read as follows:

Section 102. No person is competent to serve as executor who at the time the will is admitted to probate is:

1. Under the age of majority-;

2. Convicted of an infamous crime, that causes the court to determine that the person should not be entrusted with the fiduciary duties of an executor; or

3. Adjudged by the court incompetent to execute the duties of the trust by reason of drunkenness, improvidence, or want of understanding and integrity.

SECTION 2. AMENDATORY 58 O.S. 2021, Section 126, is amended to read as follows:

1 Section 126. No person is competent to serve as administrator  
2 ~~or administratrix,~~ who, when appointed, is:

3 1. Under the age of majority-i

4 2. Convicted of ~~an infamous~~ a crime- that causes the court to  
5 determine that the person should not be entrusted with the fiduciary  
6 duties of an **administrator**; or

7 3. Adjudged by the court incompetent to execute the duties of  
8 the trust by reason of drunkenness, improvidence or want of  
9 understanding or integrity.

10 SECTION 3. This act shall become effective November 1, 2024.

11 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
12 February 6, 2024 - DO PASS AS AMENDED  
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