

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2650

By: Harris

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to probate procedure; amending 58
9 O.S. 2021, Section 245, which relates to petitions
10 for summary administration; and increasing value of
11 estate for summary administration.

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

13 SECTION 1. AMENDATORY 58 O.S. 2021, Section 245, is
14 amended to read as follows:

15 Section 245. A. A petition for summary administration may be
16 filed by any person interested in an estate that meets one of the
17 following conditions:

18 1. The value of the estate is less than or equal to ~~Two Hundred~~
19 ~~Thousand Dollars (\$200,000.00)~~ Three Hundred Thousand Dollars
20 (\$300,000.00);

21 2. The decedent has been deceased for more than five (5) years;
22 or

23 3. The decedent resided in another jurisdiction at the time of
24 death.

1 B. The petition shall set forth the following:

2 1. A statement of the interest of the petitioner;

3 2. The name, age and date of death of the decedent, and the
4 county and state of the decedent's domicile at the time of death;

5 3. If the decedent died testate, the original or certified copy
6 of the will of the decedent shall be attached to the petition,
7 together with a statement that:

8 a. the petitioner, to the best of the knowledge of the
9 petitioner, believes the will to have been validly
10 executed, and

11 b. after the exercise of due diligence, the petitioner is
12 unaware of any instrument revoking the will, and that
13 the petitioner believes that the instrument attached
14 to the application is the decedent's last will;

15 4. Whether the will attached to the petition has been admitted
16 to probate in any other jurisdiction;

17 5. If the decedent died intestate, the petitioner shall state
18 that the petitioner has diligently searched for and failed to find a
19 will;

20 6. The names, ages and last-known addresses of the
21 administrators, executors, nonpetitioning conominees, heirs,
22 legatees and devisees of the decedent, so far as known to the
23 petitioner;

1 7. The names and last-known addresses of all known creditors of
2 the decedent. The petitioner shall state that the petitioner has
3 exercised due diligence in determining the identities, last-known
4 addresses and claims of the decedent's creditors;

5 8. The probable value and character of the property of the
6 estate and the legal description of all real property owned by the
7 decedent in Oklahoma;

8 9. Whether an application or petition for the appointment of a
9 personal representative is pending or has been granted in any
10 jurisdiction;

11 10. A statement of the relief requested, which may include a
12 prayer for the court to admit the will, if any, to probate, to
13 appoint the person requested in the petition as personal
14 representative, to determine the heirs, devisees and legatees of the
15 decedent, to approve the final account, to distribute the property
16 of the estate and to discharge the personal representative; and

17 11. A waiver of the final accounting pursuant to Section 541 of
18 this title, if applicable.

19 C. The petition shall be verified by the petitioner or signed
20 by the attorney for the petitioner.

21 D. The court, without a hearing, shall issue letters of special
22 administration to the person requested in the petition if the
23 petition is in proper form and:
24

1 1. The proposed personal representative is named as personal
2 representative in the will;

3 2. The proposed personal representative has prior right to
4 appointment; or

5 3. The petition is accompanied by a waiver of all persons
6 entitled to letters testamentary and all persons with a prior right
7 of appointment.

8 The special administrator shall have the powers set forth in
9 subsection A of Section 215 of this title. The court, in its
10 discretion, may require a bond.

11

12 60-2-17062 JBH 03/05/26

13

14

15

16

17

18

19

20

21

22

23

24