

# An Act

ENROLLED HOUSE  
BILL NO. 1743

By: Harris and Moore of the  
House

and

Howard of the Senate

An Act relating to probate procedure; amending 58 O.S. 2021, Section 246, which relates to petitions for summary administration; changing time requirement for filing combined notices; and declaring an emergency.

SUBJECT: Probate procedure

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

SECTION 1. AMENDATORY 58 O.S. 2021, Section 246, is amended to read as follows:

Section 246. A. Upon the filing of the petition and combined notice, the court shall dispense with the regular estate proceedings prescribed by law and the court shall order notice to creditors and issue an order granting final hearing upon the petition for admission of the will, if any, to probate, the petition for summary administration, the final accounting, and the petition for determination of heirship, distribution and discharge. However, nothing in this section shall affect the lien upon any property for any estate or transfer tax which may be due upon the estate of the decedent.

B. Notice to creditors and notice of hearing upon the petition for summary administration and the final accounting, determination of heirship, and distribution and discharge shall be combined into one notice, referred to as a "combined notice". Combined notice shall be filed ~~at the same time the petition for summary administration is filed~~ within five (5) days from the granting of

the order admitting the petition and order for combined notice. The combined notice shall set forth the following:

1. The name, address, and date of death of the decedent;
2. The name and address of the petitioner;
3. Whether a will exists;
4. The name and address of the personal representative, if specified;
5. The name and address of the heirs or devisees;
6. The probable value of the estate of the decedent as set forth in the petition;
7. The date, time and place of the final hearing;
8. That the person receiving the notice or any interested party may file objections to the petition at any time before the final hearing and send a copy to the petitioner or that person will be deemed to have waived any objections to the petition;
9. That if an objection is filed before the hearing, the court will determine at the hearing whether the will attached to the petition shall be admitted to probate, whether summary proceedings are appropriate and, if so, whether the estate will be distributed and to whom the estate will be distributed; and
10. The claim of any creditor will be barred unless the claim is presented to the personal representative no more than thirty (30) days following the granting of the order admitting the petition and combined notice.

C. Within ten (10) days of the granting of the order admitting the petition and combined notice, notice of the petition, notice to creditors, and notice of final accounting, determination of heirship, distribution and discharge shall be published once each week for two (2) consecutive weeks in a newspaper that is authorized by law to publish legal notices and that is published in the county where the petition is filed. If no newspaper authorized by law to publish legal notices is published in the county, the notice shall be posted in three public places in the county, one of which shall be the county courthouse. Within ten (10) days of the granting of

the order admitting the petition and combined notice, the combined notice shall be mailed to creditors of the decedent as provided in Sections 331 and 331.1 of this title. Within ten (10) days of the granting of the order admitting the petition and combined notice, the combined notice shall be mailed to all persons interested in the estate of the decedent at their respective last-known addresses.

D. The matter shall be set for final hearing not less than forty-five (45) days following the granting of the order admitting the petition and combined notice.

E. If there is a defect in notice or in the form of the petition or if objections are filed, or for other good cause shown, the hearing may be postponed to a date certain.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 25th day of March, 2025.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 30th day of April, 2025.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_