

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4339

By: Moore

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5  
6 AS INTRODUCED

7 An Act relating to probate procedure; amending 58  
8 O.S. 2021, Section 246, as amended by Section 1,  
9 Chapter 114, O.S.L. 2025 (58 O.S. Supp. 2025, Section  
10 246), which relates to notice for petition for  
11 summary administration; removing the publication  
12 requirement for certain notices and allowing a  
13 publication of a combined notice; providing  
14 publication timeline for combined notice; and  
15 providing an effective date.

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

17 SECTION 1. AMENDATORY 58 O.S. 2021, Section 246, as  
18 amended by Section 1, Chapter 114, O.S.L. 2025 (58 O.S. Supp. 2025,  
19 Section 246), is amended to read as follows:

20 Section 246. A. Upon the filing of the petition and combined  
21 notice, the court shall dispense with the regular estate proceedings  
22 prescribed by law and the court shall order notice to creditors and  
23 issue an order granting final hearing upon the petition for  
24 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,

1 nothing in this section shall affect the lien upon any property for  
2 any estate or transfer tax which may be due upon the estate of the  
3 decedent.

4 B. Notice to creditors and notice of hearing upon the petition  
5 for summary administration and the final accounting, determination  
6 of heirship, and distribution and discharge shall be combined into  
7 one notice, referred to as a "combined notice". Combined notice  
8 shall be filed within five (5) days from the granting of the order  
9 admitting the petition and order for combined notice. The combined  
10 notice shall set forth the following:

- 11 1. The name, address, and date of death of the decedent;
- 12 2. The name and address of the petitioner;
- 13 3. Whether a will exists;
- 14 4. The name and address of the personal representative, if  
15 specified;
- 16 5. The name and address of the heirs or devisees;
- 17 6. The probable value of the estate of the decedent as set  
18 forth in the petition;
- 19 7. The date, time and place of the final hearing;
- 20 8. That the person receiving the notice or any interested party  
21 may file objections to the petition at any time before the final  
22 hearing and send a copy to the petitioner or that person will be  
23 deemed to have waived any objections to the petition;

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1 9. That if an objection is filed before the hearing, the court  
2 will determine at the hearing whether the will attached to the  
3 petition shall be admitted to probate, whether summary proceedings  
4 are appropriate and, if so, whether the estate will be distributed  
5 and to whom the estate will be distributed; and

6 10. The claim of any creditor will be barred unless the claim  
7 is presented to the personal representative no more than thirty (30)  
8 days following the granting of the order admitting the petition and  
9 combined notice.

10 C. ~~Within ten (10) days of the granting of the order admitting~~  
11 ~~the petition and combined notice, notice of the petition, notice to~~  
12 ~~creditors, and notice of final accounting, determination of~~  
13 ~~heirship, distribution and discharge~~ The combined notice shall be  
14 published once each week for two (2) consecutive weeks in a  
15 newspaper that is authorized by law to publish legal notices and  
16 that is published in the county where the petition is filed, and the  
17 first publication of the combined notice shall appear on, or before,  
18 the tenth day after the filing of the combined notice. If no  
19 newspaper authorized by law to publish legal notices is published in  
20 the county, the notice shall be posted in three public places in the  
21 county, one of which shall be the county courthouse. Within ten  
22 (10) days of the granting of the order admitting the petition and  
23 combined notice, the combined notice shall be mailed to creditors of  
24 the decedent as provided in Sections 331 and 331.1 of this title.

1 Within ten (10) days of the granting of the order admitting the  
2 petition and combined notice, the combined notice shall be mailed to  
3 all persons interested in the estate of the decedent at their  
4 respective last-known addresses.

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

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

11 SECTION 2. This act shall become effective November 1, 2026.

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13 60-2-14739 JL 12/09/25

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