

1 ENGROSSED SENATE
BILL NO. 1593

By: Daniels of the Senate

and

O'Donnell of the House

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

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

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

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

16 1. Under the age of majority~~;~~i

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

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

23 SECTION 2. AMENDATORY 58 O.S. 2021, Section 126, is
24 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 Passed the Senate the 19th day of February, 2024.

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Presiding Officer of the Senate

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15 Passed the House of Representatives the ____ day of _____,
16 2024.

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Presiding Officer of the House
of Representatives

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