

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 58th Legislature (2021)

4   HOUSE BILL 2548

                                  By: Stinson

7                                   AS INTRODUCED

8           An Act relating to probate procedure; enacting the  
9           Uniform Power of Attorney Act; defining terms;  
10          providing that this act applies to all powers of  
11          attorney except specified instances; providing that a  
12          power of attorney is durable; providing power of  
13          attorney execution requirements; providing validity  
14          requirements for a power of attorney; providing  
15          meaning and effect of a power of attorney; providing  
16          for a nomination of guardian; providing relation of  
17          agent to court-appointed fiduciary; providing when a  
18          power of attorney is effective; providing for  
19          termination of power of attorney or an agent's  
20          authority; providing duties, authorities and  
21          requirements of coagents and successor agents;  
22          providing for reimbursement and compensation of an  
23          agent; providing requirements for an agent's  
24          acceptance under a power of attorney; providing  
            duties of an agent; providing for exoneration of an  
            agent's duties with exemptions; providing  
            requirements for who may petition the court to  
            construe a power of attorney or review an agent's  
            conduct and receive appropriate relief; providing for  
            an agent's liability to principal and principal's  
            successors; providing for acceptance and reliance  
            upon an acknowledged power of attorney; providing  
            liability for refusal to accept an acknowledged power  
            of attorney; providing that unless displaced by this  
            act the principles of law and equity apply; providing  
            that this act does not supersede any other law  
            applicable to financial institutions or other  
            entities; providing that remedies under this act are  
            not exclusive and do not abrogate any right or remedy  
            under the law of this state; providing acts that an

1 agent may do only if specifically granted the  
2 authority by the power of attorney; providing an  
3 agent with general authority except for specified  
4 acts; providing for incorporation of authority;  
5 providing an agent general authority to carry out  
6 specific acts; providing that language in a power of  
7 attorney granting general authority, unless otherwise  
8 provided, authorizes an agent to perform certain acts  
9 in respect to real property, tangible personal  
10 property, stocks, bonds, commodities and options,  
11 banks and other financial institutions, operation of  
12 an entity or business, insurance, annuities, estates,  
13 trusts and other beneficial interests, claims,  
14 litigation, personal and family maintenance, benefits  
15 from governmental programs or civil or military  
16 service, retirement plans, taxes, and gifts;  
17 providing a statutory power of attorney form;  
18 providing an agent's certification form; providing  
19 uniformity of application and construction to power  
20 of attorney; detailing the relationship between  
21 electronic signature requirement in this act and in  
22 the Electronic Signatures in Global and National  
23 Commerce Act; providing the effect on existing powers  
24 of attorney; repealing 58 O.S. 2011, Sections 1071,  
1072, 1072.1, as amended by Section 6, Chapter 355,  
O.S.L. 2016, 1072.2, 1072.3, 1074, as amended by  
Section 1, Chapter 7, O.S.L. 2015, 1075, as amended  
by Section 2, Chapter 7, O.S.L. 2015, 1076 and 1077  
(58 O.S. Supp. 2020, Sections 1072.1, 1074 and 1075),  
which relate to the Uniform Durable Power of Attorney  
Act; providing for codification; and providing an  
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 3001 of Title 58, unless there  
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Uniform Power  
of Attorney Act".

1 SECTION 2. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3002 of Title 58, unless there  
3 is created a duplication in numbering, reads as follows:

4 As used in this act:

5 1. "Agent" means a person granted authority to act for a  
6 principal under a power of attorney, whether denominated an agent,  
7 attorney-in-fact or otherwise. The term includes an original agent,  
8 coagent, successor agent and a person to which an agent's authority  
9 is delegated;

10 2. "Durable", with respect to a power of attorney, means not  
11 terminated by the principal's incapacity;

12 3. "Electronic" means relating to technology having electrical,  
13 digital, magnetic, wireless, optical, electromagnetic or similar  
14 capabilities;

15 4. "Good faith" means honesty in fact;

16 5. "Incapacity" means inability of an individual to manage  
17 property or business affairs because the individual:

18 a. has an impairment in the ability to receive and  
19 evaluate information or make or communicate decisions  
20 even with the use of technological assistance, or

21 b. is:

22 (1) missing,

23 (2) detained, including incarcerated in a penal

24 system, or

1 (3) outside the United States and unable to return;

2 6. "Person" means an individual, corporation, business trust,  
3 estate, trust, partnership, limited liability company (LLC),  
4 association, joint venture, public corporation, government or  
5 governmental subdivision, agency or instrumentality, or any other  
6 legal or commercial entity;

7 7. "Power of attorney" means a writing or other record that  
8 grants authority to an agent to act in the place of the principal,  
9 whether or not the term power of attorney is used;

10 8. "Presently exercisable general power of appointment", with  
11 respect to property or a property interest subject to a power of  
12 appointment, means power exercisable at the time in question to vest  
13 absolute ownership in the principal individually, the principal's  
14 estate, the principal's creditors or the creditors of the  
15 principal's estate. The term includes a power of appointment not  
16 exercisable until the occurrence of a specified event, the  
17 satisfaction of an ascertainable standard or the passage of a  
18 specified period only after the occurrence of the specified event,  
19 the satisfaction of the ascertainable standard or the passage of the  
20 specified period. The term does not include a power exercisable in  
21 a fiduciary capacity or only by will;

22 9. "Principal" means an individual who grants authority to an  
23 agent in a power of attorney;

24

1 10. "Property" means anything that may be the subject of  
2 ownership, whether real or personal, or legal or equitable, or any  
3 interest or right therein;

4 11. "Record" means information that is inscribed on a tangible  
5 medium or that is stored in an electronic or other medium and is  
6 retrievable in perceivable form;

7 12. "Sign" means, with present intent to authenticate or adopt  
8 a record:

9 a. to execute or adopt a tangible symbol, or

10 b. to attach to or logically associate with the record an  
11 electronic sound, symbol or process;

12 13. "State" means a state of the United States, the District of  
13 Columbia, Puerto Rico, the United States Virgin Islands or any  
14 territory or insular possession subject to the jurisdiction of the  
15 United States; and

16 14. "Stocks and bonds" means stocks, bonds, mutual funds and  
17 all other types of securities and financial instruments, whether  
18 held directly, indirectly or in any other manner. The term does not  
19 include commodity futures contracts and call or put options on  
20 stocks or stock indexes.

21 SECTION 3. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 3003 of Title 58, unless there  
23 is created a duplication in numbering, reads as follows:

24 This act applies to all powers of attorney except:

- 1        1. A power to the extent it is coupled with an interest in the  
2 subject of the power, including a power given to or for the benefit  
3 of a creditor in connection with a credit transaction;
- 4        2. A power to make health-care decisions;
- 5        3. A proxy or other delegation to exercise voting rights or  
6 management rights with respect to an entity; and
- 7        4. A power created on a form prescribed by a government or  
8 governmental subdivision, agency or instrumentality for a  
9 governmental purpose.

10        SECTION 4.        NEW LAW        A new section of law to be codified  
11 in the Oklahoma Statutes as Section 3004 of Title 58, unless there  
12 is created a duplication in numbering, reads as follows:

13        A power of attorney created under this act is durable unless it  
14 expressly provides that it is terminated by the incapacity of the  
15 principal.

16        SECTION 5.        NEW LAW        A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3005 of Title 58, unless there  
18 is created a duplication in numbering, reads as follows:

19        A power of attorney must be signed by the principal or in the  
20 principal's conscious presence by another individual directed by the  
21 principal to sign the principal's name on the power of attorney. A  
22 signature on a power of attorney is presumed to be genuine if the  
23 principal acknowledges the signature before a notary public or other  
24 individual authorized by law to take acknowledgments.

1 SECTION 6. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3006 of Title 58, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. A power of attorney executed in this state on or after the  
5 effective date of this act is valid if its execution complies with  
6 Section 5 of this act.

7 B. A power of attorney executed in this state before effective  
8 date of this act is valid if its execution complied with the law of  
9 this state as it existed at the time of execution.

10 C. A power of attorney executed other than in this state is  
11 valid in this state if, when the power of attorney was executed, the  
12 execution complied with:

13 1. The law of the jurisdiction that determines the meaning and  
14 effect of the power of attorney pursuant to Section 7 of this act;  
15 or

16 2. The requirements for a military power of attorney pursuant  
17 to 10 U.S.C., Section 1044b, as amended.

18 D. Except as otherwise provided by statute other than this act,  
19 a photocopy or electronically transmitted copy of an original power  
20 of attorney has the same effect as the original.

21 SECTION 7. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 3007 of Title 58, unless there  
23 is created a duplication in numbering, reads as follows:

24

1 The meaning and effect of a power of attorney is determined by  
2 the law of the jurisdiction indicated in the power of attorney and,  
3 in the absence of an indication of jurisdiction, by the law of the  
4 jurisdiction in which the power of attorney was executed.

5 SECTION 8. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 3008 of Title 58, unless there  
7 is created a duplication in numbering, reads as follows:

8 A. In a power of attorney, a principal may nominate a guardian  
9 of the principal's estate or guardian of the principal's person for  
10 consideration by the court if protective proceedings for the  
11 principal's estate or person are begun after the principal executes  
12 the power of attorney. Except for good cause shown or  
13 disqualification, the court shall make its appointment in accordance  
14 with the principal's most recent nomination.

15 B. If, after a principal executes a power of attorney, a court  
16 appoints a guardian of the principal's estate or other fiduciary  
17 charged with the management of some or all of the principal's  
18 property, the agent is accountable to the fiduciary as well as to  
19 the principal. The power of attorney is not terminated and the  
20 agent's authority continues unless limited, suspended or terminated  
21 by the court.

22 SECTION 9. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3009 of Title 58, unless there  
24 is created a duplication in numbering, reads as follows:



1 A. A power of attorney is effective when executed unless the  
2 principal provides in the power of attorney that it becomes  
3 effective at a future date or upon the occurrence of a future event  
4 or contingency.

5 B. If a power of attorney becomes effective upon the occurrence  
6 of a future event or contingency, the principal, in the power of  
7 attorney, may authorize one or more persons to determine in a  
8 writing or other record that the event or contingency has occurred.

9 C. If a power of attorney becomes effective upon the  
10 principal's incapacity and the principal has not authorized a person  
11 to determine whether the principal is incapacitated, or the person  
12 authorized is unable or unwilling to make the determination, the  
13 power of attorney becomes effective upon a determination in a  
14 writing or other record by:

15 1. A physician or licensed psychologist that the principal is  
16 incapacitated within the meaning of subparagraph a of paragraph 5 of  
17 Section 2 of this act; or

18 2. An attorney at law, a judge or an appropriate governmental  
19 official that the principal is incapacitated within the meaning of  
20 subparagraph b of paragraph 5 of Section 2 of this act.

21 D. A person authorized by the principal in the power of  
22 attorney to determine that the principal is incapacitated may act as  
23 the principal's personal representative pursuant to the Health  
24 Insurance Portability and Accountability Act, Sections 1171 through

1 1179 of the Social Security Act, 42 U.S.C., Section 1320d, as  
2 amended, and applicable regulations, to obtain access to the  
3 principal's health-care information and communicate with the  
4 principal's health-care provider.

5 SECTION 10. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 3010 of Title 58, unless there  
7 is created a duplication in numbering, reads as follows:

8 A. A power of attorney terminates when:

- 9 1. The principal dies;
- 10 2. The principal becomes incapacitated, if the power of  
11 attorney is not durable;
- 12 3. The principal revokes the power of attorney;
- 13 4. The power of attorney provides that it terminates;
- 14 5. The purpose of the power of attorney is accomplished; or
- 15 6. The principal revokes the agent's authority or the agent  
16 dies, becomes incapacitated or resigns, and the power of attorney  
17 does not provide for another agent to act under the power of  
18 attorney.

19 B. An agent's authority terminates when:

- 20 1. The principal revokes the authority;
- 21 2. The agent dies, becomes incapacitated or resigns;
- 22 3. An action is filed for divorce or annulment of the agent's  
23 marriage to the principal or their legal separation, unless the  
24 power of attorney otherwise provides; or

1 4. The power of attorney terminates.

2 C. Unless the power of attorney otherwise provides, an agent's  
3 authority is exercisable until the authority terminates under  
4 subsection B of this section, notwithstanding a lapse of time since  
5 the execution of the power of attorney.

6 D. Termination of an agent's authority or of a power of  
7 attorney is not effective as to the agent or another person that,  
8 without actual knowledge of the termination, acts in good faith  
9 under the power of attorney. An act so performed, unless otherwise  
10 invalid or unenforceable, binds the principal and the principal's  
11 successors in interest.

12 E. Incapacity of the principal of a power of attorney that is  
13 not durable does not revoke or terminate the power of attorney as to  
14 an agent or other person that, without actual knowledge of the  
15 incapacity, acts in good faith under the power of attorney. An act  
16 so performed, unless otherwise invalid or unenforceable, binds the  
17 principal and the principal's successors in interest.

18 F. The execution of a power of attorney does not revoke a power  
19 of attorney previously executed by the principal unless the  
20 subsequent power of attorney provides that the previous power of  
21 attorney is revoked or that all other powers of attorney are  
22 revoked.

1           SECTION 11.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3011 of Title 58, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. A principal may designate two or more persons to act as  
5 coagents. Unless the power of attorney otherwise provides, each  
6 coagent may exercise its authority independently.

7           B. A principal may designate one or more successor agents to  
8 act if an agent resigns, dies, becomes incapacitated, is not  
9 qualified to serve or declines to serve. A principal may grant  
10 authority to designate one or more successor agents to an agent or  
11 other person designated by name, office or function. Unless the  
12 power of attorney otherwise provides, a successor agent:

13           1. Has the same authority as that granted to the original  
14 agent; and

15           2. May not act until all predecessor agents have resigned,  
16 died, become incapacitated, are no longer qualified to serve or have  
17 declined to serve.

18           C. Except as otherwise provided in the power of attorney and  
19 subsection D of this section, an agent that does not participate in  
20 or conceal a breach of fiduciary duty committed by another agent,  
21 including a predecessor agent, is not liable for the actions of the  
22 other agent.

23           D. An agent that has actual knowledge of a breach or imminent  
24 breach of fiduciary duty by another agent shall notify the principal

1 and, if the principal is incapacitated, take any action reasonably  
2 appropriate in the circumstances to safeguard the principal's best  
3 interest. An agent that fails to notify the principal or take  
4 action as required by this subsection is liable for the reasonably  
5 foreseeable damages that could have been avoided if the agent had  
6 notified the principal or taken such action.

7 SECTION 12. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 3012 of Title 58, unless there  
9 is created a duplication in numbering, reads as follows:

10 Unless the power of attorney otherwise provides, an agent is  
11 entitled to reimbursement of expenses reasonably incurred on behalf  
12 of the principal and to compensation that is reasonable under the  
13 circumstances.

14 SECTION 13. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 3013 of Title 58, unless there  
16 is created a duplication in numbering, reads as follows:

17 Except as otherwise provided in the power of attorney, a person  
18 accepts appointment as an agent under a power of attorney by  
19 exercising authority or performing duties as an agent or by any  
20 other assertion or conduct indicating acceptance.

21 SECTION 14. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 3014 of Title 58, unless there  
23 is created a duplication in numbering, reads as follows:

24

1 A. Notwithstanding provisions in the power of attorney, an  
2 agent that has accepted appointment shall:

3 1. Act in accordance with the principal's reasonable  
4 expectations to the extent actually known by the agent and,  
5 otherwise, in the principal's best interest;

6 2. Act in good faith; and

7 3. Act only within the scope of authority granted in the power  
8 of attorney.

9 B. Except as otherwise provided in the power of attorney, an  
10 agent that has accepted appointment shall:

11 1. Act loyally for the principal's benefit;

12 2. Act so as not to create a conflict of interest that impairs  
13 the agent's ability to act impartially in the principal's best  
14 interest;

15 3. Act with the care, competence and diligence ordinarily  
16 exercised by agents in similar circumstances;

17 4. Keep a record of all receipts, disbursements and  
18 transactions made on behalf of the principal;

19 5. Cooperate with a person that has authority to make health-  
20 care decisions for the principal to carry out the principal's  
21 reasonable expectations to the extent actually known by the agent  
22 and, otherwise, act in the principal's best interest; and

23 6. Attempt to preserve the principal's estate plan, to the  
24 extent actually known by the agent, if preserving the plan is

1 consistent with the principal's best interest based on all relevant  
2 factors, including:

- 3 a. the value and nature of the principal's property,
- 4 b. the principal's foreseeable obligations and need for  
5 maintenance,
- 6 c. minimization of taxes, including income, estate,  
7 inheritance, generation-skipping transfer and gift  
8 taxes, and
- 9 d. eligibility for a benefit, a program or assistance  
10 under a statute or regulation.

11 C. An agent that acts in good faith is not liable to any  
12 beneficiary of the principal's estate plan for failure to preserve  
13 the plan.

14 D. An agent that acts with care, competence and diligence for  
15 the best interest of the principal is not liable solely because the  
16 agent also benefits from the act or has an individual or conflicting  
17 interest in relation to the property or affairs of the principal.

18 E. If an agent is selected by the principal because of special  
19 skills or expertise possessed by the agent or in reliance on the  
20 agent's representation that the agent has special skills or  
21 expertise, the special skills or expertise must be considered in  
22 determining whether the agent has acted with care, competence and  
23 diligence under the circumstances.

24

1 F. Absent a breach of duty to the principal, an agent is not  
2 liable if the value of the principal's property declines.

3 G. An agent that exercises authority to delegate to another  
4 person the authority granted by the principal or that engages  
5 another person on behalf of the principal is not liable for an act,  
6 error of judgment or default of that person if the agent exercises  
7 care, competence and diligence in selecting and monitoring the  
8 person.

9 H. Except as otherwise provided in the power of attorney, an  
10 agent is not required to disclose receipts, disbursements or  
11 transactions conducted on behalf of the principal unless ordered by  
12 a court or requested by the principal, a guardian, a conservator,  
13 another fiduciary acting for the principal, a governmental agency  
14 having authority to protect the welfare of the principal or, upon  
15 the death of the principal, by the personal representative or  
16 successor in interest of the principal's estate. If so requested,  
17 within thirty (30) days the agent shall comply with the request or  
18 provide a writing or other record substantiating why additional time  
19 is needed and shall comply with the request within an additional  
20 thirty (30) days.

21 SECTION 15. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 3015 of Title 58, unless there  
23 is created a duplication in numbering, reads as follows:

24



1 A provision in a power of attorney relieving an agent of  
2 liability for breach of duty is binding on the principal and the  
3 principal's successors in interest except to the extent the  
4 provision:

5 1. Relieves the agent of liability for breach of duty committed  
6 dishonestly, with an improper motive or with reckless indifference  
7 to the purposes of the power of attorney or the best interest of the  
8 principal; or

9 2. Was inserted as a result of an abuse of a confidential or  
10 fiduciary relationship with the principal.

11 SECTION 16. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 3016 of Title 58, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. The following persons may petition a court to construe a  
15 power of attorney or review the agent's conduct and grant  
16 appropriate relief:

17 1. The principal or the agent;

18 2. A guardian, conservator or other fiduciary acting for the  
19 principal;

20 3. A person authorized to make health-care decisions for the  
21 principal;

22 4. The principal's spouse, parent or descendant;

23 5. An individual who would qualify as a presumptive heir of the  
24 principal;

1           6. A person named as a beneficiary to receive any property,  
2 benefit or contractual right on the principal's death or as a  
3 beneficiary of a trust created by or for the principal that has a  
4 financial interest in the principal's estate;

5           7. A governmental agency having regulatory authority to protect  
6 the welfare of the principal;

7           8. The principal's caregiver or another person that  
8 demonstrates sufficient interest in the principal's welfare; and

9           9. A person asked to accept the power of attorney.

10          B. Upon motion by the principal, the court shall dismiss a  
11 petition filed under this section, unless the court finds that the  
12 principal lacks capacity to revoke the agent's authority or the  
13 power of attorney.

14          SECTION 17.        NEW LAW        A new section of law to be codified  
15 in the Oklahoma Statutes as Section 3017 of Title 58, unless there  
16 is created a duplication in numbering, reads as follows:

17          An agent that violates this act is liable to the principal or  
18 the principal's successors in interest for the amount required to:

19           1. Restore the value of the principal's property to what it  
20 would have been had the violation not occurred; and

21           2. Reimburse the principal or the principal's successors in  
22 interest for the attorney fees and costs paid on the agent's behalf.  
23  
24

1 SECTION 18. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3018 of Title 58, unless there  
3 is created a duplication in numbering, reads as follows:

4 Unless the power of attorney provides a different method for an  
5 agent's resignation, an agent may resign by giving notice to the  
6 principal and, if the principal is incapacitated:

7 1. To the guardian, if one has been appointed for the  
8 principal, and a coagent or successor agent; or

9 2. If there is no person described in paragraph 1 of this  
10 section, to:

11 a. the principal's caregiver,

12 b. another person reasonably believed by the agent to  
13 have sufficient interest in the principal's welfare,  
14 or

15 c. a governmental agency having authority to protect the  
16 welfare of the principal.

17 SECTION 19. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 3019 of Title 58, unless there  
19 is created a duplication in numbering, reads as follows:

20 A. For purposes of this section and Section 20 of this act,  
21 "acknowledged" means purportedly verified before a notary public or  
22 other individual authorized to take acknowledgements.

23 B. A person that in good faith accepts an acknowledged power of  
24 attorney without actual knowledge that the signature is not genuine

1 may rely upon the presumption under Section 5 of this act that the  
2 signature is genuine.

3 C. A person that in good faith accepts an acknowledged power of  
4 attorney without actual knowledge that the power of attorney is  
5 void, invalid or terminated, that the purported agent's authority is  
6 void, invalid or terminated, or that the agent is exceeding or  
7 improperly exercising the agent's authority may rely upon the power  
8 of attorney as if the power of attorney were genuine, valid and  
9 still in effect, the agent's authority were genuine, valid and still  
10 in effect, and the agent had not exceeded and had properly exercised  
11 the authority.

12 D. A person that is asked to accept an acknowledged power of  
13 attorney may request, and rely upon, without further investigation:

14 1. An agent's certification under penalty of perjury of any  
15 factual matter concerning the principal, agent or power of attorney;

16 2. An English translation of the power of attorney if the power  
17 of attorney contains, in whole or in part, language other than  
18 English; and

19 3. An opinion of counsel as to any matter of law concerning the  
20 power of attorney if the person making the request provides in a  
21 writing or other record the reason for the request.

22 E. An English translation or an opinion of counsel requested  
23 under this section must be provided at the principal's expense  
24

1 unless the request is made more than seven (7) business days after  
2 the power of attorney is presented for acceptance.

3 F. For purposes of this section and Section 20 of this act, a  
4 person that conducts activities through employees is without actual  
5 knowledge of a fact relating to a power of attorney, a principal or  
6 an agent if the employee conducting the transaction involving the  
7 power of attorney is without actual knowledge of the fact.

8 SECTION 20. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 3020 of Title 58, unless there  
10 is created a duplication in numbering, reads as follows:

11 A. Except as otherwise provided in subsection B of this  
12 section:

13 1. A person shall either accept an acknowledged power of  
14 attorney or request a certification, a translation or an opinion of  
15 counsel under subsection D of Section 19 of this act, no later than  
16 seven (7) business days after presentation of the power of attorney  
17 for acceptance;

18 2. If a person requests a certification, a translation or an  
19 opinion of counsel under subsection D of Section 19 of this act, the  
20 person shall accept the power of attorney no later than five (5)  
21 business days after receipt of the certification, translation or  
22 opinion of counsel; and  
23  
24

1           3. A person may not require an additional or different form of  
2 power of attorney for authority granted in the power of attorney  
3 presented.

4           B. A person is not required to accept an acknowledged power of  
5 attorney if:

6           1. The person is not otherwise required to engage in a  
7 transaction with the principal in the same circumstances;

8           2. Engaging in a transaction with the agent or the principal in  
9 the same circumstances would be inconsistent with federal law;

10          3. The person has actual knowledge of the termination of the  
11 agent's authority or of the power of attorney before exercise of the  
12 power;

13          4. A request for a certification, a translation or an opinion  
14 of counsel under subsection D of Section 19 of this act, is refused;

15          5. The person in good faith believes that the power is not  
16 valid or that the agent does not have the authority to perform the  
17 act requested, whether or not a certification, a translation or an  
18 opinion of counsel under subsection D of Section 19 of this act, has  
19 been requested or provided; or

20          6. The person makes, or has actual knowledge that another  
21 person has made, a report to the Adult Protective Services office  
22 stating a good-faith belief that the principal may be subject to  
23 physical or financial abuse, neglect, exploitation or abandonment by  
24 the agent or a person acting for or with the agent.

1 C. A person that refuses in violation of this section to accept  
2 an acknowledged power of attorney is subject to:

3 1. A court order mandating acceptance of the power of attorney;  
4 and

5 2. Liability for reasonable attorney fees and costs incurred in  
6 any action or proceeding that confirms the validity of the power of  
7 attorney or mandates acceptance of the power of attorney.

8 SECTION 21. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 3021 of Title 58, unless there  
10 is created a duplication in numbering, reads as follows:

11 Unless displaced by a provision of this act, the principles of  
12 law and equity supplement this act.

13 SECTION 22. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 3022 of Title 58, unless there  
15 is created a duplication in numbering, reads as follows:

16 This act does not supersede any other law applicable to  
17 financial institutions or other entities, and the other law controls  
18 if inconsistent with this act.

19 SECTION 23. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 3023 of Title 58, unless there  
21 is created a duplication in numbering, reads as follows:

22 The remedies under this act are not exclusive and do not  
23 abrogate any right or remedy under the law of this state other than  
24 this act.

1           SECTION 24.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3024 of Title 58, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. An agent under a power of attorney may do the following on  
5 behalf of the principal or with the principal's property only if the  
6 power of attorney expressly grants the agent the authority and  
7 exercise of the authority is not otherwise prohibited by another  
8 agreement or instrument to which the authority or property is  
9 subject:

- 10           1. Create, amend, revoke or terminate an inter vivos trust;
- 11           2. Make a gift;
- 12           3. Create or change rights of survivorship;
- 13           4. Create or change a beneficiary designation;
- 14           5. Delegate authority granted under the power of attorney;
- 15           6. Waive the principal's right to be a beneficiary of a joint  
16 and survivor annuity, including a survivor benefit under a  
17 retirement plan;
- 18           7. Exercise fiduciary powers that the principal has authority  
19 to delegate;
- 20           8. Exercise authority over the content of electronic  
21 communications, as defined in 18 U.S.C., Section 2510(12), as  
22 amended, sent or received by the principal; or
- 23           9. Disclaim property, including a power of appointment.

24



1 B. Notwithstanding a grant of authority to do an act described  
2 in subsection A of this section, unless the power of attorney  
3 otherwise provides, an agent that is not an ancestor, spouse or  
4 descendant of the principal, may not exercise authority under a  
5 power of attorney to create in the agent, or in an individual to  
6 whom the agent owes a legal obligation of support, an interest in  
7 the principal's property, whether by gift, right of survivorship,  
8 beneficiary designation, disclaimer or otherwise.

9 C. Subject to subsections A, B, D and E of this section, if a  
10 power of attorney grants to an agent authority to do all acts that a  
11 principal could do, the agent has the general authority described in  
12 Sections 27 through 39 of this act.

13 D. Unless the power of attorney otherwise provides, a grant of  
14 authority to make a gift is subject to Section 40 of this act.

15 E. Subject to subsections A, B and D of this section, if the  
16 subjects over which authority is granted in a power of attorney are  
17 similar or overlap, the broadest authority controls.

18 F. Authority granted in a power of attorney is exercisable with  
19 respect to property that the principal has when the power of  
20 attorney is executed or acquires later, whether or not the property  
21 is located in this state and whether or not the authority is  
22 exercised or the power of attorney is executed in this state.

23 G. An act performed by an agent pursuant to a power of attorney  
24 has the same effect and inures to the benefit of and binds the

1 principal and the principal's successors in interest as if the  
2 principal had performed the act.

3 SECTION 25. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3025 of Title 58, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. An agent has authority described in this act if the power of  
7 attorney refers to general authority with respect to the descriptive  
8 term for the subjects stated in Sections 27 through 40 of this act  
9 or cites the section in which the authority is described.

10 B. A reference in a power of attorney to general authority with  
11 respect to the descriptive term for a subject in Sections 27 through  
12 40 of this act or a citation to a section of Sections 27 through 40  
13 of this act incorporates the entire section as if it were set out in  
14 full in the power of attorney.

15 C. A principal may modify authority incorporated by reference.

16 SECTION 26. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3026 of Title 58, unless there  
18 is created a duplication in numbering, reads as follows:

19 Except as otherwise provided in the power of attorney, by  
20 executing a power of attorney that incorporates by reference a  
21 subject described in Sections 27 through 40 of this act or that  
22 grants to an agent authority to do all acts that a principal could  
23 do pursuant to subsection C of Section 24 of this act, a principal  
24 authorizes the agent, with respect to that subject, to:

1        1. Demand, receive and obtain by litigation or otherwise, money  
2 or another thing of value to which the principal is, may become or  
3 claims to be entitled, and conserve, invest, disburse or use  
4 anything so received or obtained for the purposes intended;

5        2. Contract in any manner with any person, on terms agreeable  
6 to the agent, to accomplish a purpose of a transaction and perform,  
7 rescind, cancel, terminate, reform, restate, release or modify the  
8 contract or another contract made by or on behalf of the principal;

9        3. Execute, acknowledge, seal, deliver, file or record any  
10 instrument or communication the agent considers desirable to  
11 accomplish a purpose of a transaction, including creating at any  
12 time a schedule listing some or all of the principal's property and  
13 attaching it to the power of attorney;

14        4. Initiate, participate in or submit to alternative dispute  
15 resolution, and settle, oppose, or propose or accept a compromise  
16 with respect to a claim existing in favor of or against the  
17 principal or intervene in litigation relating to the claim;

18        5. Seek on the principal's behalf the assistance of a court or  
19 other governmental agency to carry out an act authorized in the  
20 power of attorney;

21        6. Engage, compensate and discharge an attorney, accountant,  
22 discretionary investment manager, expert witness or other advisor;

23

24

1 7. Prepare, execute, and file a record, report or other  
2 document to safeguard or promote the principal's interest under a  
3 statute or regulation;

4 8. Communicate with any representative or employee of a  
5 government or governmental subdivision, agency or instrumentality,  
6 on behalf of the principal;

7 9. Access communications intended for, and communicate on  
8 behalf of, the principal, whether by mail, electronic transmission,  
9 telephone or other means; and

10 10. Do any lawful act with respect to the subject and all  
11 property related to the subject.

12 SECTION 27. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 3027 of Title 58, unless there  
14 is created a duplication in numbering, reads as follows:

15 Unless the power of attorney otherwise provides, language in a  
16 power of attorney granting general authority with respect to real  
17 property authorizes the agent to:

18 1. Demand, buy, lease, receive, accept as a gift or as security  
19 for an extension of credit or otherwise acquire or reject an  
20 interest in real property or a right incident to real property;

21 2. Sell; exchange; convey with or without covenants,  
22 representations or warranties; quitclaim; release; surrender; retain  
23 title for security; encumber; partition or consent to partitioning;  
24 subject to an easement or covenant; subdivide; apply for zoning or

1 other governmental permits; plat or consent to platting; develop;  
2 grant an option concerning; lease; sublease; contribute to an entity  
3 in exchange for an interest in that entity; or otherwise grant or  
4 dispose of an interest in real property or a right incident to real  
5 property;

6 3. Pledge or mortgage an interest in real property or right  
7 incident to real property as security to borrow money or pay, renew  
8 or extend the time of payment of a debt of the principal or a debt  
9 guaranteed by the principal;

10 4. Release, assign, satisfy or enforce by litigation or  
11 otherwise a mortgage, deed of trust, conditional sale contract,  
12 encumbrance, lien or other claim to real property which exists or is  
13 asserted;

14 5. Manage or conserve an interest in real property or a right  
15 incident to real property owned or claimed to be owned by the  
16 principal, including:

- 17 a. insuring against liability or casualty or other loss,
- 18 b. obtaining or regaining possession of or protecting the  
19 interest or right by litigation or otherwise,
- 20 c. paying, assessing, compromising or contesting taxes or  
21 assessments or applying for and receiving refunds in  
22 connection with them, and
- 23 d. purchasing supplies, hiring assistance or labor, and  
24 making repairs or alterations to the real property;

1       6. Use, develop, alter, replace, remove, erect or install  
2 structures or other improvements upon real property in or incident  
3 to which the principal has, or claims to have, an interest or right;

4       7. Participate in a reorganization with respect to real  
5 property or an entity that owns an interest in or right incident to  
6 real property and receive, and hold, and act with respect to stocks  
7 and bonds or other property received in a plan of reorganization,  
8 including:

9           a. selling or otherwise disposing of them,

10          b. exercising or selling an option, right of conversion,  
11             or similar right with respect to them, and

12          c. exercising any voting rights in person or by proxy;

13       8. Change the form of title of an interest in or right incident  
14 to real property; and

15       9. Dedicate to public use, with or without consideration,  
16 easements or other real property in which the principal has, or  
17 claims to have, an interest.

18       SECTION 28.       NEW LAW       A new section of law to be codified  
19 in the Oklahoma Statutes as Section 3028 of Title 58, unless there  
20 is created a duplication in numbering, reads as follows:

21       Unless the power of attorney otherwise provides, language in a  
22 power of attorney granting general authority with respect to  
23 tangible personal property authorizes the agent to:

1        1. Demand, buy, receive, accept as a gift or as security for an  
2 extension of credit, or otherwise acquire or reject ownership or  
3 possession of tangible personal property or an interest in tangible  
4 personal property;

5        2. Sell; exchange; convey with or without covenants,  
6 representations or warranties; quitclaim; release; surrender; create  
7 a security interest in; grant options concerning; lease; sublease;  
8 or otherwise dispose of tangible personal property or an interest in  
9 tangible personal property;

10       3. Grant a security interest in tangible personal property or  
11 an interest in tangible personal property as security to borrow  
12 money or pay, renew or extend the time of payment of a debt of the  
13 principal or a debt guaranteed by the principal;

14       4. Release, assign, satisfy or enforce by litigation or  
15 otherwise, a security interest, lien or other claim on behalf of the  
16 principal, with respect to tangible personal property or an interest  
17 in tangible personal property;

18       5. Manage or conserve tangible personal property or an interest  
19 in tangible personal property on behalf of the principal, including:

- 20            a. insuring against liability or casualty or other loss,
- 21            b. obtaining or regaining possession of or protecting the  
22                property or interest, by litigation or otherwise,

23  
24

- c. paying, assessing, compromising or contesting taxes or assessments or applying for and receiving refunds in connection with taxes or assessments,
- d. moving the property from place to place,
- e. storing the property for hire or on a gratuitous bailment, and
- f. using and making repairs, alterations or improvements to the property; and

6. Change the form of title of an interest in tangible personal property.

SECTION 29. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3029 of Title 58, unless there is created a duplication in numbering, reads as follows:

Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to stocks and bonds authorizes the agent to:

1. Buy, sell and exchange stocks and bonds;
2. Establish, continue, modify or terminate an account with respect to stocks and bonds;
3. Pledge stocks and bonds as security to borrow, pay, renew or extend the time of payment of a debt of the principal;
4. Receive certificates and other evidences of ownership with respect to stocks and bonds; and



1           5. Exercise voting rights with respect to stocks and bonds in  
2 person or by proxy, enter into voting trusts, and consent to  
3 limitations on the right to vote.

4           SECTION 30.       NEW LAW       A new section of law to be codified  
5 in the Oklahoma Statutes as Section 3030 of Title 58, unless there  
6 is created a duplication in numbering, reads as follows:

7           Unless the power of attorney otherwise provides, language in a  
8 power of attorney granting general authority with respect to  
9 commodities and options authorizes the agent to:

10          1. Buy, sell, exchange, assign, settle and exercise commodity  
11 futures contracts and call or put options on stocks or stock indexes  
12 traded on a regulated option exchange; and

13          2. Establish, continue, modify and terminate option accounts.

14           SECTION 31.       NEW LAW       A new section of law to be codified  
15 in the Oklahoma Statutes as Section 3031 of Title 58, unless there  
16 is created a duplication in numbering, reads as follows:

17           Unless the power of attorney otherwise provides, language in a  
18 power of attorney granting general authority with respect to banks  
19 and other financial institutions authorizes the agent to:

20          1. Continue, modify and terminate an account or other banking  
21 arrangement made by or on behalf of the principal;

22          2. Establish, modify and terminate an account or other banking  
23 arrangement with a bank, trust company, savings and loan  
24

1 association, credit union, thrift company, brokerage firm or other  
2 financial institution selected by the agent;

3 3. Contract for services available from a financial  
4 institution, including renting a safe deposit box or space in a  
5 vault;

6 4. Withdraw, by check, order, electronic funds transfer or  
7 otherwise, money or property of the principal deposited with or left  
8 in the custody of a financial institution;

9 5. Receive statements of account, vouchers, notices and similar  
10 documents from a financial institution and act with respect to them;

11 6. Enter a safe deposit box or vault and withdraw or add to the  
12 contents;

13 7. Borrow money and pledge as security personal property of the  
14 principal necessary to borrow money or pay, renew or extend the time  
15 of payment of a debt of the principal or a debt guaranteed by the  
16 principal;

17 8. Make, assign, draw, endorse, discount, guarantee and  
18 negotiate promissory notes, checks, drafts and other negotiable or  
19 nonnegotiable paper of the principal or payable to the principal or  
20 the principal's order, transfer money, receive the cash or other  
21 proceeds of those transactions, and accept a draft drawn by a person  
22 upon the principal and pay it when due;

23

24

1           9. Receive for the principal and act upon a sight draft,  
2 warehouse receipt or other document of title whether tangible or  
3 electronic, or other negotiable or nonnegotiable instrument;

4           10. Apply for, receive and use letters of credit, credit and  
5 debit cards, electronic transaction authorizations and traveler's  
6 checks from a financial institution and give an indemnity or other  
7 agreement in connection with letters of credit; and

8           11. Consent to an extension of the time of payment with respect  
9 to commercial paper or a financial transaction with a financial  
10 institution.

11           SECTION 32.       NEW LAW       A new section of law to be codified  
12 in the Oklahoma Statutes as Section 3032 of Title 58, unless there  
13 is created a duplication in numbering, reads as follows:

14           Subject to the terms of a document or an agreement governing an  
15 entity or an entity ownership interest, and unless the power of  
16 attorney otherwise provides, language in a power of attorney  
17 granting general authority with respect to operation of an entity or  
18 business authorizes the agent to:

19           1. Operate, buy, sell, enlarge, reduce or terminate an  
20 ownership interest;

21           2. Perform a duty or discharge a liability and exercise in  
22 person or by proxy a right, power, privilege or option that the  
23 principal has, may have or claims to have;

24           3. Enforce the terms of an ownership agreement;

1 4. Initiate, participate in or submit to alternative dispute  
2 resolution, settle, oppose, or propose or accept a compromise with  
3 respect to litigation to which the principal is a party because of  
4 an ownership interest;

5 5. Exercise in person or by proxy, or enforce by litigation or  
6 otherwise, a right, power, privilege or option the principal has or  
7 claims to have as the holder of stocks and bonds;

8 6. Initiate, participate in or submit to alternative dispute  
9 resolution, settle, oppose, or propose or accept a compromise with  
10 respect to litigation to which the principal is a party concerning  
11 stocks and bonds;

12 7. With respect to an entity or business owned solely by the  
13 principal:

14 a. continue, modify, renegotiate, extend and terminate a  
15 contract made by or on behalf of the principal with  
16 respect to the entity or business before execution of  
17 the power of attorney,

18 b. determine:

19 (1) the location of its operation,

20 (2) the nature and extent of its business,

21 (3) the methods of manufacturing, selling,

22 merchandising, financing, accounting and

23 advertising employed in its operation,

24 (4) the amount and types of insurance carried, and

1 (5) the mode of engaging, compensating and dealing  
2 with its employees and accountants, attorneys or  
3 other advisors,

4 c. change the name or form of organization under which  
5 the entity or business is operated and enter into an  
6 ownership agreement with other persons to take over  
7 all or part of the operation of the entity or  
8 business, and

9 d. demand and receive money due or claimed by the  
10 principal or on the principal's behalf in the  
11 operation of the entity or business and control and  
12 disburse the money in the operation of the entity or  
13 business;

14 8. Put additional capital into an entity or business in which  
15 the principal has an interest;

16 9. Join in a plan of reorganization, consolidation, conversion,  
17 domestication or merger of the entity or business;

18 10. Sell or liquidate all or part of an entity or business;

19 11. Establish the value of an entity or business under a buy-  
20 out agreement to which the principal is a party;

21 12. Prepare, sign, file and deliver reports, compilations of  
22 information, returns or other papers with respect to an entity or  
23 business and make related payments; and

24

1 13. Pay, compromise or contest taxes, assessments, fines or  
2 penalties and perform any other act to protect the principal from  
3 illegal or unnecessary taxation, assessments, fines or penalties,  
4 with respect to an entity or business, including attempts to  
5 recover, in any manner permitted by law, money paid before or after  
6 the execution of the power of attorney.

7 SECTION 33. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 3033 of Title 58, unless there  
9 is created a duplication in numbering, reads as follows:

10 Unless the power of attorney otherwise provides, language in a  
11 power of attorney granting general authority with respect to  
12 insurance and annuities authorizes the agent to:

13 1. Continue, pay the premium or make a contribution on, modify,  
14 exchange, rescind, release or terminate a contract procured by or on  
15 behalf of the principal which insures or provides an annuity to  
16 either the principal or another person, whether or not the principal  
17 is a beneficiary under the contract;

18 2. Procure new, different and additional contracts of insurance  
19 and annuities for the principal and the principal's spouse, children  
20 and other dependents, and select the amount, type of insurance or  
21 annuity, and mode of payment;

22 3. Pay the premium or make a contribution on, modify, exchange,  
23 rescind, release or terminate a contract of insurance or annuity  
24 procured by the agent;

- 1        4. Apply for and receive a loan secured by a contract of  
2 insurance or annuity;
- 3        5. Surrender and receive the cash surrender value on a contract  
4 of insurance or annuity;
- 5        6. Exercise an election;
- 6        7. Exercise investment powers available under a contract of  
7 insurance or annuity;
- 8        8. Change the manner of paying premiums on a contract of  
9 insurance or annuity;
- 10       9. Change or convert the type of insurance or annuity with  
11 respect to which the principal has or claims to have authority  
12 described in this section;
- 13       10. Apply for and procure a benefit or assistance under a  
14 statute or regulation to guarantee or pay premiums of a contract of  
15 insurance on the life of the principal;
- 16       11. Collect, sell, assign, hypothecate, borrow against or  
17 pledge the interest of the principal in a contract of insurance or  
18 annuity;
- 19       12. Select the form and timing of the payment of proceeds from  
20 a contract of insurance or annuity; and
- 21       13. Pay, from proceeds or otherwise, compromise or contest, and  
22 apply for refunds in connection with, a tax or assessment levied by  
23 a taxing authority with respect to a contract of insurance or  
24

1 annuity or its proceeds or liability accruing by reason of the tax  
2 or assessment.

3 SECTION 34. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3034 of Title 58, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. In this section, "estate, trust or other beneficial  
7 interest" means a trust, probate estate, guardianship,  
8 conservatorship, escrow or custodianship or a fund from which the  
9 principal is, may become, or claims to be, entitled to a share or  
10 payment.

11 B. Unless the power of attorney otherwise provides, language in  
12 a power of attorney granting general authority with respect to  
13 estates, trusts and other beneficial interests authorizes the agent  
14 to:

15 1. Accept, receive, receipt for, sell, assign, pledge or  
16 exchange a share in or payment from an estate, trust, or other  
17 beneficial interest;

18 2. Demand or obtain money or another thing of value to which  
19 the principal is, may become, or claims to be, entitled by reason of  
20 an estate, trust or other beneficial interest, by litigation or  
21 otherwise;

22 3. Exercise for the benefit of the principal a presently  
23 exercisable general power of appointment held by the principal;

24



1           4. Initiate, participate in or submit to alternative dispute  
2 resolution, settle, oppose, or propose or accept a compromise with  
3 respect to litigation to ascertain the meaning, validity or effect  
4 of a deed, will, declaration of trust or other instrument or  
5 transaction affecting the interest of the principal;

6           5. Initiate, participate in or submit to alternative dispute  
7 resolution, settle, oppose, or propose or accept a compromise with  
8 respect to litigation to remove, substitute or surcharge a  
9 fiduciary;

10          6. Conserve, invest, disburse or use anything received for an  
11 authorized purpose;

12          7. Transfer an interest of the principal in real property,  
13 stocks and bonds, accounts with financial institutions or securities  
14 intermediaries, insurance, annuities and other property to the  
15 trustee of a revocable trust created by the principal as settlor;  
16 and

17          8. Reject, renounce, disclaim, release or consent to a  
18 reduction in or modification of a share in or payment from an  
19 estate, trust or other beneficial interest.

20           SECTION 35.       NEW LAW       A new section of law to be codified  
21 in the Oklahoma Statutes as Section 3035 of Title 58, unless there  
22 is created a duplication in numbering, reads as follows:

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1 Unless the power of attorney otherwise provides, language in a  
2 power of attorney granting general authority with respect to claims  
3 and litigation authorizes the agent to:

4 1. Assert and maintain before a court or administrative agency  
5 a claim, claim for relief, cause of action, counterclaim, offset,  
6 recoupment or defense, including an action to recover property or  
7 other thing of value, recover damages sustained by the principal,  
8 eliminate or modify tax liability, or seek an injunction, specific  
9 performance or other relief;

10 2. Bring an action to determine adverse claims or intervene or  
11 otherwise participate in litigation;

12 3. Seek an attachment, garnishment, order of arrest or other  
13 preliminary, provisional or intermediate relief and use an available  
14 procedure to effect or satisfy a judgment, order, or decree;

15 4. Make or accept a tender, offer of judgment or admission of  
16 facts, submit a controversy on an agreed statement of facts, consent  
17 to examination, and bind the principal in litigation;

18 5. Submit to alternative dispute resolution, settle and propose  
19 or accept a compromise;

20 6. Waive the issuance and service of process upon the  
21 principal, accept service of process, appear for the principal,  
22 designate persons upon which process directed to the principal may  
23 be served, execute and file or deliver stipulations on the  
24 principal's behalf, verify pleadings, seek appellate review, procure

1 and give surety and indemnity bonds, contract and pay for the  
2 preparation and printing of records and briefs, receive, execute and  
3 file or deliver a consent, waiver, release, confession of judgment,  
4 satisfaction of judgment, notice, agreement or other instrument in  
5 connection with the prosecution, settlement or defense of a claim or  
6 litigation;

7 7. Act for the principal with respect to bankruptcy or  
8 insolvency, whether voluntary or involuntary, concerning the  
9 principal or some other person, or with respect to a reorganization,  
10 receivership, or application for the appointment of a receiver or  
11 trustee which affects an interest of the principal in property or  
12 other thing of value;

13 8. Pay a judgment, award or order against the principal or a  
14 settlement made in connection with a claim or litigation; and

15 9. Receive money or other thing of value paid in settlement of  
16 or as proceeds of a claim or litigation.

17 SECTION 36. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 3036 of Title 58, unless there  
19 is created a duplication in numbering, reads as follows:

20 A. Unless the power of attorney otherwise provides, language in  
21 a power of attorney granting general authority with respect to  
22 personal and family maintenance authorizes the agent to:

23 1. Perform the acts necessary to maintain the customary  
24 standard of living of the principal, the principal's spouse and the

1 following individuals, whether living when the power of attorney is  
2 executed or later born:

- 3 a. the principal's children,
- 4 b. other individuals legally entitled to be supported by  
5 the principal, and
- 6 c. the individuals whom the principal has customarily  
7 supported or indicated the intent to support;

8 2. Make periodic payments of child support and other family  
9 maintenance required by a court or governmental agency or an  
10 agreement to which the principal is a party;

11 3. Provide living quarters for the individuals described in  
12 paragraph 1 of this subsection by:

- 13 a. purchase, lease or other contract, or
- 14 b. paying the operating costs, including interest,  
15 amortization payments, repairs, improvements and  
16 taxes, for premises owned by the principal or occupied  
17 by those individuals;

18 4. Provide normal domestic help, usual vacations and travel  
19 expenses, and funds for shelter, clothing, food, appropriate  
20 education, including postsecondary and vocational education, and  
21 other current living costs for the individuals described in  
22 paragraph 1 of this subsection;

23  
24

1           5. Pay expenses for necessary healthcare and custodial care on  
2 behalf of the individuals described in paragraph 1 of this  
3 subsection;

4           6. Act as the principal's personal representative pursuant to  
5 the Health Insurance Portability and Accountability Act, Sections  
6 1171 through 1179 of the Social Security Act, 42 U.S.C., Section  
7 1320d, as amended, and applicable regulations, in making decisions  
8 related to the past, present or future payment for the provision of  
9 healthcare consented to by the principal or anyone authorized under  
10 the law of this state to consent to healthcare on behalf of the  
11 principal;

12           7. Continue any provision made by the principal for automobiles  
13 or other means of transportation, including registering, licensing,  
14 insuring and replacing them, for the individuals described in  
15 paragraph 1 of this subsection;

16           8. Maintain credit and debit accounts for the convenience of  
17 the individuals described in paragraph 1 of this subsection and open  
18 new accounts; and

19           9. Continue payments incidental to the membership or  
20 affiliation of the principal in a religious institution, club,  
21 society, order or other organization or to continue contributions to  
22 those organizations.

23  
24

1 B. Authority with respect to personal and family maintenance is  
2 neither dependent upon, nor limited by, authority that an agent may  
3 or may not have with respect to gifts under this act.

4 SECTION 37. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 3037 of Title 58, unless there  
6 is created a duplication in numbering, reads as follows:

7 A. In this section, "benefits from governmental programs or  
8 civil or military service" means any benefit, program or assistance  
9 provided under a statute or regulation including Social Security,  
10 Medicare and Medicaid.

11 B. Unless the power of attorney otherwise provides, language in  
12 a power of attorney granting general authority with respect to  
13 benefits from governmental programs or civil or military service  
14 authorizes the agent to:

15 1. Execute vouchers in the name of the principal for allowances  
16 and reimbursements payable by the United States or a foreign  
17 government or by a state or subdivision of a state to the principal,  
18 including allowances and reimbursements for transportation of the  
19 individuals described in paragraph 1 of subsection A of Section 36  
20 of this act and for shipment of their household effects;

21 2. Take possession and order the removal and shipment of  
22 property of the principal from a post, warehouse, depot, dock or  
23 other place of storage or safekeeping, either governmental or  
24 private, and execute and deliver a release, voucher, receipt, bill

1 of lading, shipping ticket, certificate or other instrument for that  
2 purpose;

3 3. Enroll in, apply for, select, reject, change, amend or  
4 discontinue, on the principal's behalf, a benefit or program;

5 4. Prepare, file and maintain a claim of the principal for a  
6 benefit or assistance, financial or otherwise, to which the  
7 principal may be entitled under a statute or regulation;

8 5. Initiate, participate in or submit to alternative dispute  
9 resolution, settle, oppose, or propose or accept a compromise with  
10 respect to litigation concerning any benefit or assistance the  
11 principal may be entitled to receive under a statute or regulation;  
12 and

13 6. Receive the financial proceeds of a claim described in  
14 paragraph 4 of this subsection and conserve, invest, disburse or use  
15 for a lawful purpose anything so received.

16 SECTION 38. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3038 of Title 58, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. In this section, "retirement plan" means a plan or account  
20 created by an employer, the principal or another individual to  
21 provide retirement benefits or deferred compensation of which the  
22 principal is a participant, beneficiary or owner, including a plan  
23 or account under the following sections of the Internal Revenue  
24 Code:

- 1        1. An individual retirement account under Internal Revenue Code  
2 Section 408, 26 U.S.C., Section 408, as amended;
  - 3        2. A Roth individual retirement account under Internal Revenue  
4 Code Section 408A, 26 U.S.C., Section 408A, as amended;
  - 5        3. A deemed individual retirement account under Internal  
6 Revenue Code Section 408(q), 26 U.S.C., Section 408(q), as amended;
  - 7        4. An annuity or mutual fund custodial account under Internal  
8 Revenue Code Section 403(b), 26 U.S.C., Section 403(b), as amended;
  - 9        5. A pension, profit-sharing, stock bonus or other retirement  
10 plan qualified under Internal Revenue Code Section 401(a), 26  
11 U.S.C., Section 401(a), as amended;
  - 12        6. A plan under Internal Revenue Code Section 457(b), 26  
13 U.S.C., Section 457(b), as amended; and
  - 14        7. A nonqualified deferred compensation plan under Internal  
15 Revenue Code Section 409A, 26 U.S.C., Section 409A, as amended.
- 16        B. Unless the power of attorney otherwise provides, language in  
17 a power of attorney granting general authority with respect to  
18 retirement plans authorizes the agent to:
- 19        1. Select the form and timing of payments under a retirement  
20 plan and withdraw benefits from a plan;
  - 21        2. Make a rollover, including a direct trustee-to-trustee  
22 rollover, of benefits from one retirement plan to another;
  - 23        3. Establish a retirement plan in the principal's name;
  - 24        4. Make contributions to a retirement plan;



1       5. Exercise investment powers available under a retirement  
2 plan; and

3       6. Borrow from, sell assets to or purchase assets from a  
4 retirement plan.

5       SECTION 39.       NEW LAW       A new section of law to be codified  
6 in the Oklahoma Statutes as Section 3039 of Title 58, unless there  
7 is created a duplication in numbering, reads as follows:

8       Unless the power of attorney otherwise provides, language in a  
9 power of attorney granting general authority with respect to taxes  
10 authorizes the agent to:

11       1. Prepare, sign and file federal, state, local and foreign  
12 income, gift, payroll, property, Federal Insurance Contributions Act  
13 and other tax returns, claims for refunds, requests for extension of  
14 time, petitions regarding tax matters and any other tax-related  
15 documents, including receipts, offers, waivers, consents, including  
16 consents and agreements under Internal Revenue Code Section 2032A,  
17 26 U.S.C., Section 2032A, as amended, closing agreements, and any  
18 power of attorney required by the Internal Revenue Service or other  
19 taxing authority with respect to a tax year upon which the statute  
20 of limitations has not run and the following twenty-five (25) tax  
21 years;

22       2. Pay taxes due, collect refunds, post bonds, receive  
23 confidential information and contest deficiencies determined by the  
24 Internal Revenue Service or other taxing authority;

1           3. Exercise any election available to the principal under  
2 federal, state, local or foreign tax law; and

3           4. Act for the principal in all tax matters for all periods  
4 before the Internal Revenue Service or other taxing authority.

5           SECTION 40.           NEW LAW           A new section of law to be codified  
6 in the Oklahoma Statutes as Section 3040 of Title 58, unless there  
7 is created a duplication in numbering, reads as follows:

8           A. In this section, a gift "for the benefit of" a person  
9 includes a gift to a trust, an account under the Uniform Transfers  
10 to Minors Act (1983/1986), and a tuition savings account or prepaid  
11 tuition plan as defined under Internal Revenue Code Section 529, 26  
12 U.S.C., Section 529, as amended.

13           B. Unless the power of attorney otherwise provides, language in  
14 a power of attorney granting general authority with respect to gifts  
15 authorizes the agent only to:

16           1. Make outright to, or for the benefit of, a person, a gift of  
17 any of the principal's property, including by the exercise of a  
18 presently exercisable general power of appointment held by the  
19 principal, in an amount per donee not to exceed the annual dollar  
20 limits of the federal gift tax exclusion under Internal Revenue Code  
21 Section 2503(b), 26 U.S.C., Section 2503(b), as amended, without  
22 regard to whether the federal gift tax exclusion applies to the  
23 gift, or if the principal's spouse agrees to consent to a split gift  
24 pursuant to Internal Revenue Code Section 2513, 26 U.S.C., Section

1 2513, as amended, in an amount per donee not to exceed twice the  
2 annual federal gift tax exclusion limit; and

3 2. Consent, pursuant to Internal Revenue Code Section 2513, 26  
4 U.S.C., Section 2513, as amended, to the splitting of a gift made by  
5 the principal's spouse in an amount per donee not to exceed the  
6 aggregate annual gift tax exclusions for both spouses.

7 C. An agent may make a gift of the principal's property only as  
8 the agent determines is consistent with the principal's objectives  
9 if actually known by the agent and, if unknown, as the agent  
10 determines is consistent with the principal's best interest based on  
11 all relevant factors, including:

12 1. The value and nature of the principal's property;

13 2. The principal's foreseeable obligations and need for  
14 maintenance;

15 3. Minimization of taxes, including income, estate,  
16 inheritance, generation-skipping transfer and gift taxes;

17 4. Eligibility for a benefit, a program or assistance under a  
18 statute or regulation; and

19 5. The principal's personal history of making or joining in  
20 making gifts.

21 SECTION 41. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 3041 of Title 58, unless there  
23 is created a duplication in numbering, reads as follows:

24

1 A document substantially in the following form may be used to  
2 create a statutory form power of attorney that has the meaning and  
3 effect prescribed by this act.

4 OKLAHOMA

5 STATUTORY FORM POWER OF ATTORNEY

6 IMPORTANT INFORMATION

7 This power of attorney authorizes another person (your agent) to  
8 make decisions concerning your property for you (the principal).

9 Your agent will be able to make decisions and act with respect to  
10 your property (including your money) whether or not you are able to  
11 act for yourself. The meaning of authority over subjects listed on  
12 this form is explained in the Uniform Power of Attorney Act, Section  
13 3001 et seq. of Title 58 of the Oklahoma Statutes.

14 This power of attorney does not authorize the agent to make health-  
15 care decisions for you.

16 You should select someone you trust to serve as your agent. Unless  
17 you specify otherwise, generally the agent's authority will continue  
18 until you die or revoke the power of attorney or the agent resigns  
19 or is unable to act for you.

20 Your agent is entitled to reasonable compensation unless you state  
21 otherwise in the Special Instructions.

22 This form provides for designation of one agent. If you wish to  
23 name more than one agent you may name a coagent in the Special  
24

1 Instructions. Coagents are not required to act together unless you  
2 include that requirement in the Special Instructions.  
3 If your agent is unable or unwilling to act for you, your power of  
4 attorney will end unless you have named a successor agent. You may  
5 also name a second successor agent.  
6 This power of attorney becomes effective immediately unless you  
7 state otherwise in the Special Instructions.  
8 If you have questions about the power of attorney or the authority  
9 you are granting to your agent, you should seek legal advice before  
10 signing this form.

11 DESIGNATION OF AGENT

12 I, \_\_\_\_\_,

13 (Name of Principal)

14 name the following person as my agent:

15 Name of Agent: \_\_\_\_\_

16 Agent's Address: \_\_\_\_\_

17 Agent's Telephone Number: \_\_\_\_\_

18 DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)

19 If my agent is unable or unwilling to act for me, I name as my  
20 successor agent:

21 Name of Successor Agent: \_\_\_\_\_

22 Successor Agent's Address: \_\_\_\_\_

23 Successor Agent's Telephone Number: \_\_\_\_\_

24

1 If my successor agent is unable or unwilling to act for me, I name  
2 as my second successor agent:

3 Name of Second Successor Agent: \_\_\_\_\_

4 Second Successor Agent's Address: \_\_\_\_\_

5 Second Successor Agent's Telephone Number: \_\_\_\_\_

6 GRANT OF GENERAL AUTHORITY

7 I grant my agent and any successor agent general authority to act  
8 for me with respect to the following subjects as defined in the  
9 Uniform Power of Attorney Act, Section 3001 et seq. of Title 58 of  
10 the Oklahoma Statutes:

11 (INITIAL each subject you want to include in the agent's general  
12 authority. If you wish to grant general authority over all of the  
13 subjects you may initial "All Preceding Subjects" instead of  
14 initialing each subject.)

15 (\_\_\_) Real Property

16 (\_\_\_) Tangible Personal Property

17 (\_\_\_) Stocks and Bonds

18 (\_\_\_) Commodities and Options

19 (\_\_\_) Banks and Other Financial Institutions

20 (\_\_\_) Operation of Entity or Business

21 (\_\_\_) Insurance and Annuities

22 (\_\_\_) Estates, Trusts and Other Beneficial Interests

23 (\_\_\_) Claims and Litigation

24 (\_\_\_) Personal and Family Maintenance

- 1 () Benefits from Governmental Programs or Civil or Military
- 2 Service
- 3 () Retirement Plans
- 4 () Taxes
- 5 () All Preceding Subjects

6 GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

7 My agent MAY NOT do any of the following specific acts for me UNLESS  
8 I have INITIALED the specific authority listed below:

9 (CAUTION: Granting any of the following will give your agent the  
10 authority to take actions that could significantly reduce your  
11 property or change how your property is distributed at your death.  
12 INITIAL ONLY the specific authority you WANT to give your agent.)

13 () Create, amend, revoke or terminate an inter vivos trust

14 () Make a gift, subject to the limitations of the Uniform Power  
15 of Attorney Act, Section 3040 of Title 58 of the Oklahoma  
16 Statutes and any special instructions in this power of  
17 attorney

18 () Create or change rights of survivorship

19 () Create or change a beneficiary designation

20 () Authorize another person to exercise the authority granted  
21 under this power of attorney

22 () Waive the principal's right to be a beneficiary of a joint and  
23 survivor annuity, including a survivor benefit under a  
24 retirement plan

1 ( ) Exercise fiduciary powers that the principal has authority to  
2 delegate

3 ( ) Access the content of electronic communications

4 ( ) Disclaim or refuse an interest in property, including a power  
5 of appointment

6 LIMITATION ON AGENT'S AUTHORITY

7 An agent that is not my ancestor, spouse or descendant MAY NOT use  
8 my property to benefit the agent or a person to whom the agent owes  
9 an obligation of support unless I have included that authority in  
10 the Special Instructions.

11 SPECIAL INSTRUCTIONS (OPTIONAL)

12 You may give special instructions on the following lines:

13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_

21 EFFECTIVE DATE

22 This power of attorney is effective immediately unless I have stated  
23 otherwise in the Special Instructions.

24 NOMINATION OF GUARDIAN (OPTIONAL)



1 If it becomes necessary for a court to appoint a guardian of my  
2 estate or guardian of my person, I nominate the following person(s)  
3 for appointment:

4 Name of Nominee for guardian of my estate:

5 \_\_\_\_\_

6 Nominee's Address: \_\_\_\_\_

7 Nominee's Telephone Number: \_\_\_\_\_

8 Name of Nominee for guardian of my person: \_\_\_\_\_

9 Nominee's Address: \_\_\_\_\_

10 Nominee's Telephone Number: \_\_\_\_\_

11 RELIANCE ON THIS POWER OF ATTORNEY

12 Any person, including my agent, may rely upon the validity of this  
13 power of attorney or a copy of it unless that person knows it has  
14 terminated or is invalid.

15 SIGNATURE AND ACKNOWLEDGMENT

16 \_\_\_\_\_

17 Your Signature

\_\_\_\_\_ Date

18 \_\_\_\_\_

19 Your Name Printed

20 \_\_\_\_\_

21 Your Address

22 \_\_\_\_\_

23 Your Telephone Number

24 State of \_\_\_\_\_

1 County of \_\_\_\_\_

2 This document was acknowledged before me on \_\_\_\_\_

3 (Date)

4 by \_\_\_\_\_.

5 (Name of Principal)

6 \_\_\_\_\_ (Seal, if any)

7 Signature of Notary \_\_\_\_\_

8 My commission expires: \_\_\_\_\_

9 This document prepared by:

10 \_\_\_\_\_

11 \_\_\_\_\_

12 IMPORTANT INFORMATION FOR AGENT

13 Agent's Duties

14 When you accept the authority granted under this power of attorney,  
15 a special legal relationship is created between you and the  
16 principal. This relationship imposes upon you legal duties that  
17 continue until you resign or the power of attorney is terminated or  
18 revoked. You must:

19 1. Do what you know the principal reasonably expects you to do  
20 with the principal's property or, if you do not know the  
21 principal's expectations, act in the principal's best  
22 interest;

23 2. Act in good faith;

24

1 3. Do nothing beyond the authority granted in this power of  
2 attorney; and

3 4. Disclose your identity as an agent whenever you act for the  
4 principal by writing or printing the name of the principal  
5 and signing your own name as "agent" in the following  
6 manner:

7 (Principal's Name) by (Your Signature) as Agent

8 Unless the Special Instructions in this power of attorney state  
9 otherwise, you must also:

10 1. Act loyally for the principal's benefit;

11 2. Avoid conflicts that would impair your ability to act in the  
12 principal's best interest;

13 3. Act with care, competence and diligence;

14 4. Keep a record of all receipts, disbursements and  
15 transactions made on behalf of the principal;

16 5. Cooperate with any person that has authority to make health-  
17 care decisions for the principal to do what you know the  
18 principal reasonably expects or, if you do not know the  
19 principal's expectations, to act in the principal's best  
20 interest; and

21 6. Attempt to preserve the principal's estate plan if you know  
22 the plan and preserving the plan is consistent with the  
23 principal's best interest.

24 Termination of Agent's Authority

1 You must stop acting on behalf of the principal if you learn of any  
2 event that terminates this power of attorney or your authority under  
3 this power of attorney. Events that terminate a power of attorney  
4 or your authority to act under a power of attorney include:

- 5 1. Death of the principal;
- 6 2. The principal's revocation of the power of attorney or your  
7 authority;
- 8 3. The occurrence of a termination event stated in the power of  
9 attorney;
- 10 4. The purpose of the power of attorney is fully accomplished;  
11 or
- 12 5. If you are married to the principal, a legal action is filed  
13 with a court to end your marriage, or for your legal  
14 separation, unless the Special Instructions in this power of  
15 attorney state that such an action will not terminate your  
16 authority.

17 Liability of Agent

18 The meaning of the authority granted to you is defined in the  
19 Uniform Power of Attorney Act, Section 3001 et seq. of Title 58 of  
20 the Oklahoma Statutes. If you violate the Uniform Power of Attorney  
21 Act, Section 3001 et seq. of Title 58 of the Oklahoma Statutes, or  
22 act outside the authority granted, you may be liable for any damages  
23 caused by your violation.

24

1 If there is anything about this document or your duties that you do  
2 not understand, you should seek legal advice.

3 SECTION 42. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3042 of Title 58, unless there  
5 is created a duplication in numbering, reads as follows:

6 The following optional form may be used by an agent to certify  
7 facts concerning a Power of Attorney.

8 AGENT'S CERTIFICATION AS TO THE VALIDITY OF POWER OF ATTORNEY  
9 AND AGENT'S AUTHORITY

10 State of \_\_\_\_\_

11 County of \_\_\_\_\_

12 I, \_\_\_\_\_ (Name of Agent),

13 certify under penalty of perjury that

14 \_\_\_\_\_ (Name of Principal)

15 granted me authority as an agent or successor agent in a Power of  
16 Attorney dated \_\_\_\_\_.

17 I further certify that to my knowledge:

18 1. The Principal is alive and has not revoked the Power of  
19 Attorney or my authority to act under the Power of Attorney and the  
20 Power of Attorney and my authority to act under the Power  
21 of Attorney have not terminated;

22 2. If the Power of Attorney was drafted to become effective  
23 upon the happening of an event or contingency, the event or  
24 contingency has occurred;

1 3. If I was named as a successor agent, the prior agent is no  
2 longer able or willing to serve; and

3 4. \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \_\_\_\_\_

8 (Insert other relevant statements)

9 SIGNATURE AND ACKNOWLEDGMENT

10 \_\_\_\_\_  
11 Agent's Signature Date

12 \_\_\_\_\_  
13 Agent's Name Printed

14 \_\_\_\_\_  
15 Agent's Address

16 \_\_\_\_\_  
17 Agent's Telephone Number

18 This document was acknowledged before me on \_\_\_\_\_,  
19 (Date)

20 by \_\_\_\_\_  
21 (Name of Agent)

22 \_\_\_\_\_ (Seal, if any)

23 Signature of Notary: \_\_\_\_\_

24 My commission expires: \_\_\_\_\_

1 This document prepared by: \_\_\_\_\_

2 SECTION 43. NEW LAW A new section of law to be codified  
3 in the Oklahoma Statutes as Section 3043 of Title 58, unless there  
4 is created a duplication in numbering, reads as follows:

5 In applying and construing this uniform act, consideration must  
6 be given to the need to promote uniformity of the law with respect  
7 to its subject matter among the states that enact it.

8 SECTION 44. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 3044 of Title 58, unless there  
10 is created a duplication in numbering, reads as follows:

11 This act modifies, limits and supersedes the federal Electronic  
12 Signatures in Global and National Commerce Act, 15 U.S.C., Section  
13 7001 et seq., but does not modify, limit or supersede Section 101(c)  
14 of that act, 15 U.S.C., Section 7001(c), or authorize electronic  
15 delivery of any of the notices described in Section 103(b) of that  
16 act, 15 U.S.C., Section 7003(b).

17 SECTION 45. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 3045 of Title 58, unless there  
19 is created a duplication in numbering, reads as follows:

20 Except as otherwise provided in this act, on the effective date  
21 of this act:

22 1. This act applies to a Power of Attorney created before, on  
23 or after the effective date of this act;

24

1        2. This act applies to a judicial proceeding concerning a Power  
2 of Attorney commenced on or after the effective date of this act;

3        3. This act applies to a judicial proceeding concerning a Power  
4 of Attorney commenced before the effective date of this act unless  
5 the court finds that application of a provision of this act would  
6 substantially interfere with the effective conduct of the judicial  
7 proceeding or prejudice the rights of a party, in which case that  
8 provision does not apply and the superseded law applies; and

9        4. A Power of Attorney created before the effective date of  
10 this act is not affected by this act.

11        SECTION 46.        REPEALER        58 O.S. 2011, Sections 1071, 1072,  
12 1072.1, as amended by Section 6, Chapter 355, O.S.L. 2016, 1072.2,  
13 1072.3, 1074, as amended by Section 1, Chapter 7, O.S.L. 2015, 1075,  
14 as amended by Section 2, Chapter 7, O.S.L. 2015, 1076 and 1077 (58  
15 O.S. Supp. 2020, Sections 1072.1, 1074 and 1075), are hereby  
16 repealed.

17        SECTION 47. This act shall become effective November 1, 2021.

18  
19 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL, dated  
20 02/10/2021 - DO PASS.

21  
22  
23  
24