

An Act

ENROLLED SENATE
BILL NO. 1593

By: Daniels of the Senate

and

O'Donnell of the House

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

SUBJECT: Executors and administrators in probate proceedings

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

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

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

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

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

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

SECTION 2. AMENDATORY 58 O.S. 2021, Section 126, is amended to read as follows:

Section 126. No person is competent to serve as administrator ~~or administratrix,~~ who, when appointed, is:

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

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

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

SECTION 3. This act shall become effective November 1, 2024.

Passed the Senate the 19th day of February, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2024.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____