

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3505

By: Sneed

AS INTRODUCED

An Act relating to estate planning; providing that certain medical diagnosis invalidates estate planning instruments in certain circumstances; providing timeline; providing for interpretation of original instruments; 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 3100 of Title 58, unless there is created a duplication in numbering, reads as follows:

All powers of attorney, wills, trusts, and other estate planning instruments created and executed pursuant to the laws of Oklahoma shall be invalid if such instrument was created or amended after the person creating such instrument is diagnosed with Alzheimer's, dementia, or other cognitive impairments. Furthermore, this shall apply to all instruments or amendments created up to two (2) years prior to such diagnosis.

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If an amendment to an instrument is invalidated pursuant to this section, the original instrument shall control and be interpreted without the invalid amendment.

SECTION 2. This act shall become effective November 1, 2024.

59-2-9554          JL          01/17/24