



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 4, 2019

Mr. President,

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 78**, **INTESTATE SUCCESSION AMENDMENTS**, by Senator D. P. Hinkins, with the following amendments:

1. *Page 2, Lines 37 through 40:*

37 (3) When minerals or mineral proceeds pass to the state pursuant to Subsection (2),
38 the
39 Utah School and Institutional Trust Lands Administration shall administer the interests in
40 the
41 minerals or mineral proceeds for the support of the common schools pursuant to Sections
42 53C-1-102 and 53C-1-302 **, but may exercise its discretion to abandon or decline to**
43 **administer property of no value or of insufficient value to justify its collection or**
44 **continued administration** .

2. *Page 2, Lines 46 through 51:*

46 (5) In an action brought under Subsection (4), the district court shall quiet title **to**
47 **the**
48 minerals, mineral proceeds, or property in the state if:
49 (a) no interested person appears in the action and demonstrates entitlement to the
50 minerals, mineral proceeds, or property after notice has been given pursuant to {
51 **Chapter 1, Part**
52 **4, Notice, Parties, and Representation in Estate Litigation and Other Matters** }
53 **Section 78B-6-1303 and in the manner described in Section 75-1-401** ; and

Bill Number



SB0078

Action Class



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Action Code



SCRAMD

51 (b) the requirements of Section 78B-6-1315 are met.

3. *Page 2, Lines 52 through 57:*

52 (6) (a) If an operator, owner, or payor determines that minerals or mineral proceeds
53 form part of a decedent's **intestate** estate, and has not located an heir {~~or devisee~~
54 of the decedent, the
55 operator, owner, or payor shall submit to the Utah School and Institutional Trust Lands
56 Administration the information in the operator's, owner's, or payor's possession
57 concerning the
identity of the decedent, **the results of a good faith search for heirs specified in**
Section 75-2-103, the property interest from which the minerals or mineral proceeds
derive, and any potential heir {~~or devisee~~ .

Respectfully,

Ralph Okerlund
Chair

Voting: 8-0-1

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