

S.B. 78
INTESTATE SUCCESSION AMENDMENTS

Senator **David P. Hinkins** proposes 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), the
38 Utah School and Institutional Trust Lands Administration shall administer the interests in the
39 minerals or mineral proceeds for the support of the common schools pursuant to Sections
40 53C-1-102 and 53C-1-302 **, but may exercise its discretion to abandon or decline to administer property**
of no value or of insufficient value to justify its collection or 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** the
47 minerals, mineral proceeds, or property in the state if:
48 (a) no interested person appears in the action and demonstrates entitlement to the
49 minerals, mineral proceeds, or property after notice has been given pursuant to **{Chapter 1, Part**
50 **4, Notice, Parties, and Representation in Estate Litigation and Other Matters}** **Section 78B-6-1303**
and in the manner described in Section 75-1-401 ; and
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}** of the decedent,
the
54 operator, owner, or payor shall submit to the Utah School and Institutional Trust Lands
55 Administration the information in the operator's, owner's, or payor's possession concerning the
56 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
57 derive, and any potential heir **{or devisee}** .