

§5-906. Validity of power of attorney

1. Executed on or after September 1, 2019. A power of attorney executed in this State on or after September 1, 2019 is valid if its execution complies with section 5-905.

[PL 2019, c. 417, Pt. B, §6 (AMD).]

2. Executed on or after July 1, 2010 but before September 1, 2019. A power of attorney executed on or after July 1, 2010 but before September 1, 2019 is valid if its execution complied with former Title 18-A, section 5-906.

[PL 2019, c. 417, Pt. B, §6 (AMD).]

3. Executed before July 1, 2010. A power of attorney executed in this State before July 1, 2010 is valid if its execution complied with the law of this State as it existed at the time of execution.

[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

4. Executed other than in this State. A power of attorney executed other than in this State is valid in this State if, when the power of attorney was executed, the execution complied with:

A. The law of the jurisdiction that determines the meaning and effect of the power of attorney pursuant to section 5-907; or [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

B. The requirements for a military power of attorney pursuant to 10 United States Code, Section 1044b, as amended. [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

5. Defective notice. A power of attorney executed in this State is valid and enforceable 2 years after execution if the notice required by section 5-905, subsection 2 or the former Title 18-A, section 5-905, subsection (b) is included but is incomplete or defective in any respect.

[PL 2019, c. 598, §5 (AMD).]

6. Copy. Except as otherwise provided by statute other than this Part, a photocopy or electronically transmitted copy of an original power of attorney has the same effect as the original.

[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

SECTION HISTORY

PL 2017, c. 402, Pt. A, §2 (NEW). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §6 (AMD). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2019, c. 598, §5 (AMD).

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