

§10-108. Disclosure of other digital assets of deceased user

Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalog of electronic communications sent or received by the user and digital assets, other than the content of electronic communications, of the user if the representative gives the custodian: [PL 2019, c. 417, Pt. A, §107 (NEW).]

1. Written request. A written request for disclosure in physical or electronic form; [PL 2019, c. 417, Pt. A, §107 (NEW).]

2. Death certificate. A copy of the death certificate of the user; [PL 2019, c. 417, Pt. A, §107 (NEW).]

3. Letters of appointment or court order. A copy of the letters of appointment of the personal representative or court order; and [PL 2019, c. 417, Pt. A, §107 (NEW).]

4. Information requested by custodian. If requested by the custodian:

A. A number, username, address or other unique subscriber or account identifier assigned by the custodian to identify the user's account; [PL 2019, c. 417, Pt. A, §107 (NEW).]

B. Evidence linking the account to the user; [PL 2019, c. 417, Pt. A, §107 (NEW).]

C. An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or [PL 2019, c. 417, Pt. A, §107 (NEW).]

D. A finding by the court that:

(1) The user had a specific account with the custodian, identifiable by the information specified in paragraph A; or

(2) Disclosure of the user's digital assets is reasonably necessary for administration of the estate. [PL 2019, c. 417, Pt. A, §107 (NEW).]

[PL 2019, c. 417, Pt. A, §107 (NEW).]

SECTION HISTORY

PL 2019, c. 417, Pt. A, §107 (NEW).

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