

521A.08 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:

- (1) a written request for disclosure in physical or electronic form;
- (2) a certified copy of the death certificate of the user;
- (3) a certified copy of the letter of appointment of the representative, court order, or Affidavit of Collection of Personal Property executed under section 524.3-1201; and
- (4) if requested by the custodian:
 - (i) a number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;
 - (ii) evidence linking the account to the user;
 - (iii) an affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or
 - (iv) a finding by the court that:
 - (A) the user had a specific account with the custodian, identifiable by the information specified in item (i); or
 - (B) disclosure of the user's digital assets is reasonably necessary for administration of the estate.

History: 2016 c 135 art 2 s 9