

2021 Kansas Statutes

58-4808. 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 catalogue 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:

- (a) A written request for disclosure in physical or electronic form;
- (b) a certified copy of the death certificate of the user;
- (c) a certified copy of the letter of appointment of the representative or a small estate affidavit or court order; and
- (d) if requested by the custodian:
 - (1) A number, username, address or other unique subscriber or account identifier assigned by the custodian to identify the user's account;
 - (2) evidence linking the account to the user;
 - (3) an affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or
 - (4) a finding by the court that:
 - (A) The user had a specific account with the custodian, identifiable by the information specified in subsection (d)(1); or
 - (B) disclosure of the user's digital assets is reasonably necessary for administration of the estate.

History: L. 2017, ch. 19, § 8; July 1.