

§10-109. Disclosure of content of electronic communications of principal

To the extent a power of attorney expressly grants an agent authority over the content of electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a custodian shall disclose to the agent the content of electronic communications if the agent 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. Power of attorney. An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal; [PL 2019, c. 417, Pt. A, §107 (NEW).]

3. Agent's certificate. A certification by the agent, under penalty of perjury, that the power of attorney is in effect; 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 principal's account; or [PL 2019, c. 417, Pt. A, §107 (NEW).]

B. Evidence linking the account to the principal. [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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