

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of House Bill No. 1362

TO CREATE THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT.

Amendment No. 1 to House Bill No. 1362

Amend House Bill No. 1362 as engrossed, H2/18/15 (version: 02/18/2015 9:35:40 AM):

Page 4, delete lines 4 through 9, and substitute the following:

"Subject to § 28-69-908(b) and unless otherwise ordered by the court or provided in the will of a decedent, the personal representative of the decedent has the right to access:

(1) the content of an electronic communication that the custodian is permitted to disclose under the Electronic Communications Privacy Act, 18 U.S.C. Section 2702(b) as amended, or 47 U.S.C. Section 222, as amended;"

AND

Page 4, delete lines 20 through 22, and substitute the following:

"(1) the content of an electronic communication that the custodian is permitted to disclose under the Electronic Communications Privacy Act, 18 U.S.C. Section 2702(b) as amended, or 47 U.S.C. Section 222, as amended;"

AND

Page 4, delete lines 29 through 34, and substitute the following:

"(a) To the extent a power of attorney expressly grants an agent authority over the content of an electronic communication of the principal and subject to § 28-69-908(b), the agent has the right to access the content of an electronic communication that the custodian is permitted to disclose under the Electronic Communications Privacy Act, 18 U.S.C. Section 2702(b), as amended, or 47 U.S.C. Section 222, as amended."

AND

Page 5, delete lines 15 through 17, and substitute the following:

"(1) the content of an electronic communication that the custodian is permitted to disclose under the Electronic Communications Privacy Act, 18 U.S.C. Section 2702(b) as amended, or 47 U.S.C. Section 222, as amended;"



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Hutchinson

BPG/LNS - 03-04-2015 11:04:22

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Secretary