

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [Bill Number]

Decedents' electronic communications.

Sponsored by: HDraft Committee

A BILL

for

1 AN ACT relating to decedents' estates; providing authority
2 for personal representatives to access, transfer or
3 terminate decedents' electronic communications as
4 specified; prohibiting a cause of action against an
5 electronic communication service or remote computing
6 service as specified; and providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 2-3-139 is created to read:

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12 **2-3-139. Personal representative authority over**
13 **decedents' electronic communications.**

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2 (a) Unless notice is provided that authority is
3 contrary to the express provisions of a will, trust
4 instrument, power of attorney or court order, an electronic
5 communication service or remote computing service, as
6 defined in the Electronic Communications Privacy Act, 18
7 U.S.C. 2510 and 2711, shall provide to the personal
8 representative of a deceased person authority to access,
9 transfer or terminate the electronic communications of the
10 deceased person upon receipt by the electronic
11 communication service or remote computing service of:

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13 (i) A certified copy of the court order
14 appointing the personal representative;

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16 (ii) A copy of the death certificate of the
17 decedent; and

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19 (iii) A written request by the personal
20 representative for access to the electronic communications
21 of the decedent.

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1 (b) No person may maintain a cause of action against
2 an electronic communication service or remote computing
3 service for acting in compliance with this section.

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5 **Section 2.** This act is effective July 1, 2015.

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(END)