

**FIDUCIARY ACCESS TO DIGITAL ASSETS ACT (EXCERPT)**  
**Act 59 of 2016**

\*\*\*\*\* 700.1009.new THIS NEW SECTION IS EFFECTIVE JUNE 27, 2016 \*\*\*\*\*

**700.1009.new Disclosure of content of electronic communications sent or received by principal.**

Sec. 9. To the extent a power of attorney 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 digital custodian shall disclose to the agent the content of electronic communication if the agent gives the digital custodian all of the following:

- (a) A written request for disclosure in physical or electronic form.
- (b) An original or copy of the power of attorney granting the agent the authority over the content of electronic communications of the principal.
- (c) An affidavit from the agent under section 5505 of the estates and protected individuals code, 1998 PA 386, MCL 700.5505.
- (d) If requested by the digital custodian, any of the following:
  - (i) A number, username, address, or other unique subscriber or account identifier assigned by the digital custodian to identify the principal's account.
  - (ii) Evidence linking the account to the principal.

**History:** 2016, Act 59, Eff. June 27, 2016.