

I MINA' TRENTAI DOS NA LIHESLATURAN GUÁHAN
2013 (FIRST) Regular Session

Bill No. 72-32(15)

Introduced by:

V. Anthony Ada

2013 MAR 25 AM 10:07

**AN ACT TO ADD A NEW §2228 TO CHAPTER 22 OF
15GCA RELATIVE TO INCLUDING DIGITAL ASSETS
IN A DECEDENT'S ESTATE.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** A new Section 2228 is *added* to Chapter 22 of 15GCA to read:

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4 **§2228. Electronically stored documents of deceased.**

5 (a) As used in this section, “custodian” means any person who electronically stores the
6 documents or information of another person.

7 (b) A custodian shall provide to the personal representative of the estate of a deceased
8 person, who was domiciled in Guam at the time of the person’s death, access to or
9 copies of any documents or information of the deceased person stored electronically by
10 the custodian upon receipt by the custodian of:

11 (1) a written request for access or copies made by the personal representative,
12 accompanied by a copy of the death certificate and a certified copy of the
13 personal representative’s letters testamentary; or

14 (2) an order of a court having probate jurisdiction of the deceased person’s
15 estate.

1 (c) A custodian may not destroy or dispose of the electronically stored documents or
2 information of the deceased person for two (2) years after the custodian receives a
3 request or order under subsection (b).

4 (d) Nothing in this section shall be construed to require a custodian to disclose any
5 information:

6 (1) in violation of any applicable federal law; or

7 (2) to which the deceased person would not have been permitted access in the
8 ordinary course of business by the custodian.