

395A.090 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 if the agent gives the custodian:

- (1) A written request for disclosure in physical or electronic form;
- (2) An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal;
- (3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and
- (4) 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
 - (b) Evidence linking the account to the principal.

Effective: July 15, 2020

History: Created 2020 Ky. Acts ch. 63, sec. 8, effective July 15, 2020.