



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 850

H.P. 601

House of Representatives, March 5, 2013

Resolve, To Study the Issue of Inheritance of Digital Assets

Reference to the Committee on Judiciary suggested and ordered printed.

Millient M. Mac Jarland

MILLICENT M. MacFARLAND Clerk

Presented by Representative PRIEST of Brunswick. Cosponsored by Senator VALENTINO of York and Representatives: BEAULIEU of Auburn, CROCKETT of Bethel, GUERIN of Glenburn, MONAGHAN-DERRIG of Cape Elizabeth, MOONEN of Portland, MORIARTY of Cumberland, VILLA of Harrison.

1 Sec. 1. **Review. Resolved:** That the Probate and Trust Law Advisory 2 Commission established under the Maine Revised Statutes, Title 5, section 12004-I, 3 subsection 73-B shall conduct a review of the legal impediments to the disposition of digital assets upon an individual's death or incapacity and develop legislative 4 The Probate and Trust Law Advisory 5 recommendations based on the review. Commission shall invite the participation of interested parties in the review and in the 6 7 development of recommendations. For purposes of this section, "digital assets" means electronically stored information, including but not limited to writings, drawings, graphs, 8 9 charts, photographs, sound recordings, images and other data or data compilations, stored 10 in any medium from which information can be obtained; and be it further

11 Sec. 2. Report. Resolved: That the Probate and Trust Law Advisory 12 Commission shall submit a report regarding the review under section 1 to the Joint 13 Standing Committee on Judiciary no later than December 1, 2013, together with any 14 necessary implementing legislation. The Joint Standing Committee on Judiciary is 15 authorized to report out a bill based on the report to the Second Regular Session of the 16 126th Legislature.

SUMMARY

18 This resolve directs the Probate and Trust Law Advisory Commission to conduct a 19 review related to the disposition of digital assets upon an individual's death or incapacity 20 and to develop legislative recommendations for submittal to the Joint Standing 21 Committee on Judiciary. The recommendations must be submitted no later than 22 December 1, 2013.

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