

§ 36F-9. 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 of an electronic communication if the agent gives the custodian all of the following:

- (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.
- (4) If requested by the custodian, any of the following:
 - a. A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account.
 - b. Evidence linking the account to the principal. (2016-53, s. 1.)