

Amendment No. 728

Assembly Amendment to Senate Bill No. 131 First Reprint (BDR 12-563)

Proposed by: Assembly Committee on Judiciary

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

SRT/BFG



Date: 5/19/2013

S.B. No. 131—Establishes provisions governing the disposition of a decedent's accounts on electronic mail, social networking, messaging and other web-based services. (BDR 12-563)



SENATE BILL NO. 131—SENATOR CEGAVSKE

FEBRUARY 18, 2013

JOINT SPONSOR: ASSEMBLYWOMAN KIRKPATRICK

Referred to Committee on Judiciary

SUMMARY—Establishes provisions governing the disposition of a decedent's accounts on electronic mail, social networking, messaging and other web-based services. (BDR 12-563)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to personal representatives; authorizing a personal representative to ~~take certain actions with respect to~~ **direct the termination of** a decedent's account on certain Internet websites; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth the powers and duties of a personal representative in the administration of the estate of a decedent. (Chapter 143 of NRS) This bill authorizes a personal representative to ~~take control of, conduct, continue or terminate~~ **direct the termination of** any account of the decedent on any Internet website providing social networking or web log, microblog, short message or electronic mail service.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 143 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 2, subject to such restrictions as may be prescribed in the will of a decedent or by an order of a court of competent jurisdiction, a personal representative has the power to ~~take control of, conduct, continue or terminate~~ **direct the termination of** any account of the decedent, including, without limitation:*

(a) *An account on any:*

(1) *Social networking Internet website;*

(2) *Web log service Internet website;*

(3) *Microblog service Internet website;*

(4) *Short message service Internet website; or*

1 (5) *Electronic mail service Internet website; or*

2 (b) *Any similar electronic or digital asset of the decedent.*

3 2. *The provisions of subsection 1 do not authorize a personal representative*
4 *to ~~take control of, conduct, continue or terminate~~ direct the termination of any*
5 *financial account of the decedent, including, without limitation, a bank account*
6 *or investment account.*

7 ~~3. The act by a personal representative to take control of, conduct or~~
8 ~~continue any account or asset of a decedent pursuant to subsection 1 does not~~
9 ~~invalidate or abrogate any conditions, terms of service or contractual obligations~~
10 ~~the holder of such an account or asset has with the provider or administrator of~~
11 ~~the account, asset or Internet website.~~