



Rep. Emanuel Chris Welch

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09900HB4648ham002

LRB099 17036 HEP 47503 a

1 AMENDMENT TO HOUSE BILL 4648

2 AMENDMENT NO. _____. Amend House Bill 4648 on page 3,
3 lines 6 through 8, by deleting "that has attained the age of 18
4 and is not a "person with a disability" as defined in
5 subsection (21),"; and

6 on page 8, by replacing lines 24 and 25 with the following:

7 "(i) the user had a specific account with the
8 custodian, identifiable by the information
9 specified in subparagraph (A);

10 (ii) disclosure of the content of electronic
11 communications of the user would not violate 18
12 U.S.C. Section 2701 et seq., as amended, 47 U.S.C.
13 Section 222, as amended, or other applicable law;

14 (iii) unless the user provided direction using
15 an online tool, the user consented to disclosure of
16 the content of electronic communications; or"; and

1 on page 9, by deleting line 1; and

2 on page 14, by replacing lines 3 through 18 with the following:

3 "(a) After an opportunity for a hearing under Article XIa
4 of the Probate Act of 1975, the court may direct the disclosure
5 of the digital assets of a person with a disability to his or
6 her guardian."; and

7 on page 16, by replacing lines 16 and 17 with the following:

8 "Code of 2012, and may challenge the validity of an online tool
9 in court when requesting an order directing compliance with
10 this Act."; and

11 on page 18, by replacing line 16 with the following:

12 "(e) This Act does not limit a custodian's ability to
13 obtain or require a fiduciary or designated recipient
14 requesting disclosure or termination under this Act to obtain a
15 court order which:

16 (1) specifies that an account belongs to the person
17 with a disability or principal;

18 (2) specifies that there is sufficient consent from the
19 person with a disability or principal to support the

1 requested disclosure; and

2 (3) contains a finding required by law other than this

3 Act."; and

4 on page 24, by replacing line 6 with the following:

5 "Section 21. Effective date. This Act takes effect upon

6 becoming law.".