

638.16 Custodian compliance and immunity.

1. Not later than sixty days after receipt of the information required under [sections 638.7 through 638.15](#), a custodian shall comply with a request under [this chapter](#) from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance.

2. An order under [subsection 1](#) directing compliance must contain a finding that compliance is not in violation of 18 U.S.C. §2702.

3. A custodian may notify the user that a request for disclosure or to terminate an account was made under [this chapter](#).

4. A custodian may deny a request under [this chapter](#) from a fiduciary or designated recipient for disclosure of digital assets or to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

5. [This chapter](#) does not limit a custodian's ability to obtain or require a fiduciary or designated recipient requesting disclosure or termination under [this chapter](#) to obtain a court order which finds all of the following:

- a. That the account belongs to the user.
 - b. That there is sufficient consent from the user to support the requested disclosure.
 - c. Any specific factual finding required by any applicable law other than [this chapter](#).
6. A custodian and the custodian's officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with [this chapter](#).

[2017 Acts, ch 79, §19](#)

NEW section