

House File 2230

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AN ACT

RELATING TO SAFE DEPOSIT BOX ACCESS BY A TRUSTEE OF A TRUST
CREATED BY THE DECEASED OWNER OR LESSEE OF THE SAFE DEPOSIT
BOX.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 524.810A, subsection 1, unnumbered
paragraph 1, Code 2003, is amended to read as follows:

A bank shall permit a person named in and authorized by a
court order to open, examine, and remove the contents of a
safe deposit box located at the bank. If a court order has
not been delivered to the bank, the following persons may
access and remove any or all contents of a safe deposit box
located at a state bank ~~and which box is~~ described in an
ownership or rental agreement or lease between the state bank
and a deceased owner or lessee:

Sec. 2. Section 524.810A, subsection 1, paragraph e, Code
2003, is amended to read as follows:

e. A trustee of a trust created by the deceased owner or
lessee upon delivery to the state bank of ~~a copy of the trust~~
~~together with an affidavit by the trustee either of the~~
following:

(1) A certification of trust pursuant to section 633.4604
which certifies that the trust property is reasonably believed
to include property in the safe deposit box.

(2) A copy of the trust with an affidavit by the trustee
which certifies that a copy of the trust delivered to the
state bank with the affidavit is an accurate and complete copy
of the trust, that the trustee is the duly authorized and
acting trustee under the trust, that the trust property
~~includes~~ is reasonably believed to include property in the
safe deposit box, and that, to the knowledge of the trustee,
the trust has not been revoked.

Sec. 3. Section 533.49E, subsection 1, unnumbered
paragraph 1, Code 2003, is amended to read as follows:

A credit union shall permit a person named in and
authorized by a court order to open, examine, and remove the
contents of a safe deposit box located at the credit union.
If a court order has not been delivered to the credit union,
the following persons may access and remove any or all
contents of a safe deposit box located at a state credit union
~~and which box is~~ described in an ownership or rental agreement
or lease between the state credit union and a deceased owner
or lessee:

Sec. 4. Section 533.49E, subsection 1, paragraph e, Code
2003, is amended to read as follows:

e. A trustee of a trust created by the deceased owner or
lessee upon delivery to the state credit union of ~~a copy of~~
~~the trust together with an affidavit by the trustee either of~~
the following:

(1) A certification of trust pursuant to section 633.4604
which certifies that the trust property is reasonably believed
to include property in the safe deposit box.

(2) A copy of the trust with an affidavit by the trustee
which certifies that a copy of the trust delivered to the
state credit union with the affidavit is an accurate and
complete copy of the trust, that the trustee is the duly
authorized and acting trustee under the trust, that the trust
property ~~includes~~ is reasonably believed to include property
in the safe deposit box, and that to the knowledge of the
trustee the trust has not been revoked.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

3 6 I hereby certify that this bill originated in the House and
3 7 is known as House File 2230, Eightieth General Assembly.

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MARGARET THOMSON
Chief Clerk of the House

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3 13 Approved _____, 2004

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3 17 _____
THOMAS J. VILSACK

3 18 Governor