



HOUSE FILE 2230

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believed to include property in the safe deposit box, and that, to the knowledge of the trustee, the trust has not been revoked.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:

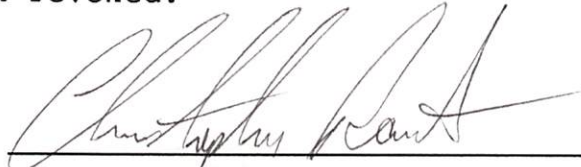
Sec. 4. Section 533.49E, subsection 1, paragraph e, Code 2003, is amended to read as follows:

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.

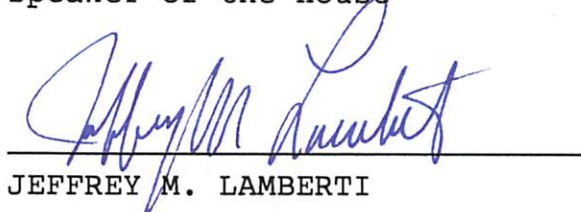
(2) A copy of the trust with an affidavit by the trustee which certifies that a copy of the trust delivered to the state credit union with the affidavit is an accurate and complete copy of the trust, that the trustee is the duly authorized and acting trustee under the trust, that the trust

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

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



MARGARET THOMSON

Chief Clerk of the House

Approved April 26, 2004



THOMAS J. VILSACK

Governor