

## CHAPTER 141

## (HB 148)

AN ACT relating to safe deposit boxes.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 286 IS CREATED TO READ AS FOLLOWS:

*As used in Sections 1 to 2 of this Act, unless the context requires otherwise:*

- (1) *"Financial institution" means a state or national bank, trust company, savings and loan association, or credit union;*
- (2) *"Interested person" means the surviving spouse of the lessee, an adult child of the lessee, a parent of the lessee, a person named as the personal representative in a copy of a purported will produced by such person, a person designated by the lessee in writing acceptable to the lessor that is filed with the lessor before death of the lessee, or a person named in a court order to examine the contents of a safe deposit box for a purpose listed in subsection (1) of Section 2 of this Act;*
- (3) *"Lessee" means a person who contracts with a lessor for the use of a safe deposit box;*
- (4) *"Lessor" means a financial institution or safe deposit company that rents safe deposit facilities; and*
- (5) *"Safe deposit box" means a safe deposit box, vault, or other safe deposit receptacle maintained by a lessor that may be used for the safekeeping and storage of property and documents.*

SECTION 2. A NEW SECTION OF KRS CHAPTER 286 IS CREATED TO READ AS FOLLOWS:

- (1) *If satisfactory proof of the death of the lessee is presented and the interested person possesses a key to the lessee's safe deposit box, a lessor shall permit an interested person to open and examine the contents of a safe deposit box leased by a decedent in the presence of an employee of the lessor for one (1) or both of the following purposes:*
  - (a) *To conduct a will search; and*
  - (b) *To obtain any document purporting to be a deed to a burial plot or to give funeral or burial instructions.*
- (2) *If the safe deposit box is opened for the purpose of conducting a will search, an employee of the lessor shall remove any document that appears to be a will and make a true and correct machine copy thereof, replace the copy in the box, and then deliver the original thereof to the person requesting the search.*
- (3) *If the safe deposit box is opened for the purpose of obtaining any document purporting to be a deed to a burial plot or to give funeral or burial instructions, the employee of the lessor shall make a true and correct machine copy thereof, replace the copy in the box, and then deliver the original thereof to the person requesting the search.*

- (4) *No contents of a safe deposit box other than a will and a document purporting to be a deed to a burial plot or to give funeral or burial instructions may be removed under this section.*

**Approved March 20, 2001**