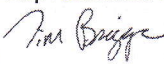


MEMORANDUM

TO: Members of the House of Representatives
FROM: Representative Tim Briggs 
DATE: July 20, 2012
SUBJ: Co-Sponsorship Request -- Access to a Decedent's Social Media Accounts

In the near future, I plan to introduce legislation that will amend Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes by providing personal representatives the authority to govern a decedent's social networking, microblogging, short message, or e-mail service website.

The use of social media has become an increasingly common method of networking by all generations, and the number of diverse social media networking websites continues to surge. While the number of online social media accounts multiplies, there is also growth in the amount of inactive accounts, attributable to the death of account holders. In Pennsylvania, we grant personal representatives the right to access and acquire personal and real property of a decedent; however, state law does not explicitly provide representatives the right to access online accounts to continue or deactivate profiles. We should modernize our law by ensuring that authorized personal representatives have the right to access and manage social media networking accounts, and to make a final determination regarding whether to limit content that is included in an existing online profile or to ultimately deactivate the account.

The goal of my legislation is to address this issue by amending 20 Pa.C.S. with the addition of a new section, §3316.2, which will provide a personal representative with the power to take control of, conduct, continue or terminate an account of a decedent that has a social networking, microblogging, short message, or e-mail service website. The legislation does restrict personal representatives from gaining such access if they have been limited by a will or court order.

If you would like to co-sponsor this legislation, please contact Kat Manucci at 717-705-7011 or kmanucci@pahouse.net.