



**Substitute House Bill No. 6680**

**Public Act No. 13-212**

**AN ACT CONCERNING ACCESS TO JOINTLY OWNED ASSETS  
THAT ARE LOCATED IN A SAFE DEPOSIT BOX.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2013*) (a) Whenever the sole owner of a safe deposit box dies and no probate proceedings have been instituted for the estate of the deceased owner, any person showing a sufficient interest in the presence of jointly owned stocks, bonds, annuities or certificates of deposit may apply to the Probate Court in the district in which the deceased owner resided for an order to open the deceased owner's safe deposit box and to obtain an inventory of jointly owned stocks, bonds, annuities or certificates of deposit that may be contained therein. Not later than ten days after the date of receipt of such application, the Probate Court shall issue an order approving or denying the application. The Probate Court may issue such order ex parte. Upon a bank's receipt of an order approving the opening of a safe deposit box, the bank shall assign a bank officer to open the deceased owner's safe deposit box and complete an inventory of any items contained therein. The safe deposit box shall be opened and the inventory completed in the presence of a bank officer. When completing the inventory, the bank officer shall, to the extent practicable, identify the owners and any beneficiaries of jointly owned stocks, bonds, annuities or certificates of deposit. The bank officer shall

***Substitute House Bill No. 6680***

make return of such order to the court identifying any items contained in the safe deposit box. The return of such order to the Probate Court shall be completed by a bank officer not later than ten days after the date of the bank's receipt of the order.

(b) Upon receipt of the bank officer's return under subsection (a) of this section, the Probate Court may issue a subsequent order authorizing the removal of jointly owned stocks, bonds, annuities or certificates of deposit from the deceased owner's safe deposit box by a person making application to the Probate Court pursuant to subsection (a) of this section. An order issued by the Probate Court under this subsection shall be issued not later than ten days after the date of the receipt of the bank officer's return unless the Probate Court determines that, prior to allowing the removal of jointly owned stocks, bonds, annuities or certificates of deposit by the applicant, it is necessary for the court to provide notice and an opportunity to be heard to the heirs or beneficiaries identified under a will who may claim an ownership interest in property located in the safe deposit box that has been included in the bank officer's return. If the Probate Court determines that it is necessary to conduct a hearing under this subsection, such hearing shall be held not later than thirty days after the date of receipt of the bank officer's return. If the Probate Court issues an order under this subsection authorizing the removal of jointly owned stocks, bonds, annuities or certificates of deposit from the deceased owner's safe deposit box, such order shall require that the safe deposit box be opened in the presence of a bank officer. The bank officer shall make return to the court, identifying the jointly owned stocks, bonds, annuities or certificates of deposit removed from the safe deposit box and the name of the person who removed the items from the safe deposit box. The return of such order to the Probate Court shall be completed by a bank officer not later than ten days after the date of the bank's receipt of the order.

***Substitute House Bill No. 6680***

(c) A bank may charge a reasonable fee for the performance of the duties required by this section to the applicant.

Approved June 24, 2013