

LAWS OF DELAWARE  
VOLUME 85  
CHAPTER 222  
153rd GENERAL ASSEMBLY  
FORMERLY  
SENATE BILL NO. 143

AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY ACCESS TO DIGITAL ASSETS AND DIGITAL ACCOUNTS.

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

Section 1. Amend § 5005, Title 12 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5005. Recovery of digital assets and digital accounts from a custodian.

(d)(1) A custodian shall comply with a valid written request ~~not later than~~ within 60 days after ~~receipt of~~ receiving the valid written request. If the custodian fails to comply, the fiduciary may apply to the ~~court~~ Court for an order directing compliance.

(2) If the fiduciary applying for an order under paragraph (d)(1) of this section is a parent or legal guardian of the account holder and the account holder is a deceased minor, the Court shall treat the fiduciary's application as expedited and aim to resolve the application within 30 days after the date the application is filed.

Approved September 19, 2025