



CHAPTER 36F

N.C.G.S. § 36F-2.

Definitions.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 03:24 UTC	886d9608ba25d16994fd165b - 8e23074f62c134a5ff5397b1 - 8fb05d4e3d4614c9

The following definitions apply in this Chapter:

Account. - An arrangement under a terms-of-service agreement in which a custodian carries, maintains, processes, receives, or stores a digital asset of the user or provides goods or services to the user.

Agent. - An attorney-in-fact granted authority under a durable or nondurable power of attorney.

Carries. - Engages in the transmission of an electronic communication.

Catalogue of electronic communications. - Information that identifies each person with which a user has had an electronic communication, the time and date of the communication, and the electronic address of the person.

Reserved.

Content of an electronic communication. - Information concerning the substance or meaning of the communication which meets all of the following:

a.Has been sent or received by a user.

b.Is in electronic storage by a custodian providing an electronic-communication service to the public or is carried or maintained by a custodian providing a remote-computing service to the public.

c.Is not readily accessible to the public.

Court. - The clerk of superior court or superior court judge, as provided in G.S. 1-7, or other court having competent jurisdiction over the estate, trust, fiduciary, or user, as applicable, or other matters relating to the content of this Chapter.

Custodian. - A person that carries, maintains, processes, receives, or stores a digital asset of a user.

Designated recipient. - A person chosen by a user using an online tool to administer digital assets of the user.

Digital asset. - An electronic record in which an individual has a right or interest. The term does not include an underlying asset or liability unless the asset or liability is itself an electronic record.

Electronic. - Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

Electronic communication. - Has the meaning set forth in 18 U.S.C. § 2510(12).

Electronic-communication service. - A custodian that provides to a user the ability to send or receive an electronic communication.

Fiduciary. - An original, additional, or successor personal representative, guardian, agent, or trustee.

Guardian. - A person appointed by a court to manage the estate of a living individual. The term includes a general guardian, a guardian of the estate, an interim guardian, and a standby guardian appointed under Chapter 35A of the General Statutes.

Information. - Data, text, images, videos, sounds, codes, computer programs, software, databases, or the like.

Online tool. - An electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person.

Person. - An individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, instrumentality, business trust, partnership, limited liability company, association, joint venture, or any other legal or commercial entity.

Personal representative. - An executor, administrator, special administrator, or person that performs substantially the same function under a law of this State other than this Chapter.

Power of attorney. - A record that grants an agent authority to act in the place of a principal.

Principal. - An individual who grants authority to an agent in a power of attorney.

Reserved.

Record. - Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Remote-computing service. - A custodian that provides to a user computer-processing services or the storage of digital assets by means of an electronic-communications system, as defined in 18 U.S.C. § 2510(14).

Terms-of-service agreement. - An agreement that controls the relationship between a user and a custodian.

Trustee. - A fiduciary with legal title to property under an agreement or declaration that creates a beneficial interest in another. The term includes an original, additional, and successor trustee, whether or not confirmed by a court.

User. - A person that has an account with a custodian.

Ward. - An individual for whom a guardian has been appointed. The term includes an individual for whom an application for the appointment of a guardian is pending.

Will. - Includes a codicil, a testamentary instrument that only appoints an executor, and an instrument that revokes or revises a testamentary instrument. (2016-53, s. 1; 2017-102, s. 12.1(a).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II

1 AUTHORITY

Authorities referenced		
Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.		
REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 1-7	(null)(7)	"superior court judge, as provided in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 36F-2 (2026).

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