



Ohio Revised Code

Section 2137.15 Custodian compliance and immunity.

Effective: April 9, 2025

Legislation: House Bill 531

(A) Not later than sixty days after receipt of the information required under sections 2137.06 to 2137.13 of the Revised Code, a custodian shall comply with a request under this chapter from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance. If the deceased user was less than eighteen years of age at the time of death and the request under this chapter was initiated by a parent or legal custodian or guardian at the time of the deceased user's death, or the fiduciary of the estate of that deceased user, the court shall determine and adjudicate the application for a court order within thirty days after submission.

(B) An order under division (A) of this section directing compliance shall contain a finding that compliance is not in violation of 18 U.S.C. 2702, as amended.

(C) A custodian may notify the user that a request for disclosure or to terminate an account was made under this chapter.

(D) A custodian may deny a request under this chapter from a fiduciary or designated recipient for disclosure of digital assets or to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

(E) Nothing in this chapter limits a custodian's ability to obtain, or to require a guardian, agent, or designated recipient requesting disclosure or termination under this chapter to obtain, a court order that does all of the following:

- (1) Specifies that an account belongs to the ward or principal;
- (2) Specifies that there is sufficient consent from the ward or principal to support the requested disclosure; and



(3) Contains a finding required by law other than this chapter.

(F) If a court finds that a custodian failed to comply with a court order issued under division (A) of this section, the court shall impose a civil penalty on the custodian as follows:

(1) Up to one thousand dollars for each of the first sixty days the operator failed to comply with the order;

(2) In addition to the civil penalty required by division (F)(1) of this section, up to five thousand dollars for each subsequent day the operator failed to comply with the order, commencing with the sixty-first day and ending with the ninetieth day;

(3) In addition to the civil penalties required by divisions (F)(1) and (2) of this section, up to ten thousand dollars for each subsequent day the operator failed to comply with the order, commencing with the ninety-first day.

(G) Any civil penalty that is imposed under division (F) of this section shall be deposited into the consumer protection enforcement fund created under section 1345.51 of the Revised Code.

(H) Except as otherwise provided under division (F) of this section, a custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with this chapter.