

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 564

Commerce Committee Substitute Adopted 4/30/97

Third Edition Engrossed 5/1/97

Short Title: Amend Financial Privacy Act.

(Public)

Sponsors:

Referred to:

April 1, 1997

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA FINANCIAL PRIVACY ACT TO PERMIT THE DISCLOSURE OF THE NAME, ADDRESS, AND TYPE OF ACCOUNT OF ANY CUSTOMER.

The General Assembly of North Carolina enacts:

Section 1. G.S. 53B-8 reads as rewritten:

"§ 53B-8. Disclosure of financial records.

No financial institution or its officer, employee, or agent may disclose a customer's financial record to a government authority except as provided in this Chapter. This section does not prohibit a financial institution from giving notice of or disclosing a financial record to a government authority, as defined in G.S. 53B-2(4), to the same extent as is authorized with respect to federal government authorities in the Right to Financial Privacy Act § 1103(d), 12 U.S.C. § 3403(d). Nothing in this Chapter shall prohibit a financial institution or its officer, employee or agent from disclosing to a government authority makes the request in writing stating the reason for the request and notifies the customer of the request and the reason for it if the customer's whereabouts are known. Nothing in this Chapter shall prohibit a financial institution or its officer, employee, or agent from notifying a government authority that the financial institution or

1 its officer, employee, or agent has information that may be relevant to a possible
2 violation of law or regulation. The information shall be limited to a description of the
3 suspected illegal activity and the name or other identifying information concerning any
4 individual, corporation, or account involved in the activity. Any financial institution or its
5 officer, employee, or agent making a disclosure of information pursuant to this section
6 shall not be liable to the customer under the laws and rules of the State of North Carolina
7 or any political subdivision of the State for disclosure or for failure to notify the customer
8 of the disclosure."

9 Section 2. This act becomes effective October 1, 1997.