



General Assembly

January Session, 2023

Substitute Bill No. 5537



AN ACT CONCERNING DISCLOSURES OF FINANCIAL RECORDS TO THE COMMISSIONER OF SOCIAL SERVICES.

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

1 Section 1. Section 36a-42 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) A financial institution may not disclose to any person, except to
4 the customer or the customer's duly authorized agent, any financial
5 records relating to such customer unless the customer has authorized
6 disclosure to such person or the financial records are disclosed in
7 response to (1) a certificate signed by the Commissioner of
8 Administrative Services or the Commissioner of Social Services
9 pursuant to the provisions of section 17b-137, (2) a lawful subpoena,
10 summons, warrant or court order as provided in section 36a-43, (3)
11 interrogatories by a judgment creditor or a demand by a levying
12 officer as provided in sections 52-351b and 52-356a, (4) a certificate
13 issued by a medical provider or its attorney under subsection (b) of
14 section 17b-124, provided nothing in this subsection shall require the
15 provider or its attorney to furnish to the financial institution any
16 application for medical assistance filed pursuant to an agreement with
17 the IV-D agency under subsection (c) of section 17b-137, (5) a certificate
18 signed by the Commissioner of Veterans Affairs pursuant to section
19 27-117, (6) the consent of an elderly person or the representative of
20 such elderly person provided to a person, department, agency or

21 commission pursuant to section 17b-454, provided the financial
22 institution shall have no obligation to determine the capacity of such
23 elderly person or the representative of such elderly person to provide
24 such consent, (7) a request for information served upon a financial
25 institution in accordance with subsection (e) of section 12-162, or (8) a
26 request for information made by the Commissioner of Revenue
27 Services pursuant to section 12-39cc.

28 (b) A financial institution shall provide financial records relating to
29 a customer in response to a certificate signed by the Commissioner of
30 Social Services pursuant to subdivision (1) of subsection (a) of this
31 section not later than thirty calendar days after the financial institution
32 receives such certificate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	36a-42

Statement of Legislative Commissioners:

Subsec. (b) was redrafted for conciseness.

BA *Joint Favorable Subst. -LCO*