



General Assembly

Amendment

January Session, 2023

LCO No. 9606



Offered by:

REP. DOUCETTE, 13th Dist.

REP. ROCHELLE, 104th Dist.

To: Subst. House Bill No. 5537

File No. 180

Cal. No. 142

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 36a-42 of the general statutes is repealed and the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

5 (a) A financial institution may not disclose to any person, except to
6 the customer or the customer's duly authorized agent, any financial
7 records relating to such customer unless the customer has authorized
8 disclosure to such person or the financial records are disclosed in
9 response to (1) a certificate signed by the Commissioner of
10 Administrative Services, [or] the Commissioner of Social Services or any
11 person deputized by either commissioner pursuant to the provisions of
12 section 17b-137, (2) a lawful subpoena, summons, warrant or court order
13 as provided in section 36a-43, (3) interrogatories by a judgment creditor
14 or a demand by a levying officer as provided in sections 52-351b and 52-

15 356a, (4) a certificate issued by a medical provider or its attorney under
16 subsection (b) of section 17b-124, provided nothing in this subsection
17 shall require the provider or its attorney to furnish to the financial
18 institution any application for medical assistance filed pursuant to an
19 agreement with the IV-D agency under subsection (c) of section 17b-137,
20 (5) a certificate signed by the Commissioner of Veterans Affairs
21 pursuant to section 27-117, (6) the consent of an elderly person or the
22 representative of such elderly person provided to a person, department,
23 agency or commission pursuant to section 17b-454, provided the
24 financial institution shall have no obligation to determine the capacity
25 of such elderly person or the representative of such elderly person to
26 provide such consent, (7) a request for information served upon a
27 financial institution in accordance with subsection (e) of section 12-162,
28 or (8) a request for information made by the Commissioner of Revenue
29 Services pursuant to section 12-39cc.

30 (b) A financial institution shall provide financial records concerning
31 a customer in response to a certificate signed by the Commissioner of
32 Social Services or any person deputized by said commissioner pursuant
33 to subdivision (1) of subsection (a) of this section not later than twenty
34 calendar days after the financial institution receives such certificate.

35 Sec. 2. Section 36a-45 of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective October 1, 2023*):

37 (a) Any officer or employee of a financial institution who knowingly
38 and wilfully furnishes financial records in violation of [sections] section
39 36a-41, [to] subsection (a) of section 36a-42, as amended by this act, or
40 section 36a-43 or 36a-44 [, inclusive,] shall be guilty of a class C
41 misdemeanor.

42 (b) Any person who knowingly and wilfully induces or attempts to
43 induce any officer or employee of a financial institution to disclose
44 financial records in violation of [sections] section 36a-41, [to] subsection
45 (a) of section 36a-42, as amended by this act, or section 36a-43 or 36a-44
46 [, inclusive,] shall be guilty of a class C misdemeanor."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	36a-42
Sec. 2	<i>October 1, 2023</i>	36a-45