



General Assembly

February Session, 2024

Raised Bill No. 5146

LCO No. 1050



Referred to Committee on BANKING

Introduced by:

(BA)

AN ACT CONCERNING DISCLOSURES OF FINANCIAL RECORDS.

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 Section 36a-42 of the general statutes is repealed and the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, 2024*):

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 or any
9 person deputized by either commissioner pursuant to the provisions of
10 section 17b-137, (2) a lawful subpoena, summons, warrant or court order
11 as provided in section 36a-43, as amended by this act, (3) interrogatories
12 by a judgment creditor or a demand by a levying officer as provided in
13 sections 52-351b and 52-356a, (4) a certificate issued by a medical
14 provider or its attorney under subsection (b) of section 17b-124,
15 provided nothing in this subsection shall require the provider or its
16 attorney to furnish to the financial institution any application for

17 medical assistance filed pursuant to an agreement with the IV-D agency
18 under subsection (c) of section 17b-137, (5) a certificate signed by the
19 Commissioner of Veterans Affairs pursuant to section 27-117, (6) the
20 consent of an elderly person or the representative of such elderly person
21 provided to a person, department, agency or commission pursuant to
22 section 17b-454, provided the financial institution shall have no
23 obligation to determine the capacity of such elderly person or the
24 representative of such elderly person to provide such consent, (7) a
25 request for information served upon a financial institution in
26 accordance with subsection (e) of section 12-162, or (8) a request for
27 information made by the Commissioner of Revenue Services pursuant
28 to section 12-39cc.

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

34 Sec. 2. Subsection (c) of section 36a-43 of the general statutes is
35 repealed and the following is substituted in lieu thereof (*Effective October*
36 *1, 2024*):

37 (c) A financial institution shall disclose financial records pursuant to
38 a certificate, signed by the Commissioner of Administrative Services,
39 [or] the Commissioner of Social Services or any person deputized by
40 either commissioner in accordance with the provisions of section 36a-
41 42, as amended by this act, or pursuant to an agreement with the IV-D
42 agency under subsection (c) of section 17b-137.

43 Sec. 3. Section 36a-45 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective October 1, 2024*):

45 (a) Any officer or employee of a financial institution who knowingly
46 and wilfully furnishes financial records in violation of [sections] section
47 36a-41, [to] subsection (a) of section 36a-42, as amended by this act,
48 section 36a-43, as amended by this act, or section 36a-44 [, inclusive,]

49 shall be guilty of a class C misdemeanor.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	36a-42
Sec. 2	<i>October 1, 2024</i>	36a-43(c)
Sec. 3	<i>October 1, 2024</i>	36a-45

Statement of Purpose:

To: (1) Require financial institutions to provide certain financial records to the Commissioner of Social Services or any person deputized by said commissioner within twenty calendar days; and (2) provide that certain actions taken concerning such financial records shall not constitute a class C misdemeanor.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]