

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  
House Committee Substitute Favorable 7/10/97

Short Title: Amend Financial Privacy Act.

(Public)

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Sponsors:

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Referred to:

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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 EXISTENCE OF  
AN 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 the name, address, and existence of an account of any customer to a government authority that makes a written request stating the reason for the request. Nothing in this Chapter shall prohibit a financial institution or its officer, employee, or agent from notifying a

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

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