



General Assembly

February Session, 2000

Raised Bill No. 9

LCO No. 825

Referred to Committee on Banks

Introduced by:

(BA)

An Act Concerning Confidential Records Of The Department Of Banking.

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

1 Section 36a-21 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 [(a) All information obtained by the commissioner or by any
4 employee of the Department of Banking shall be confidential except
5 such as should, in the opinion of the commissioner, be imparted in the
6 performance of official duties.]

7 (a) Notwithstanding any federal or state law to the contrary, the
8 following records of the Department of Banking shall not be disclosed
9 by the commissioner or by any employee of the Department of
10 Banking, or be subject to public inspection or discovery, except as
11 provided in this section: (1) Examination and investigation reports and
12 information contained therein or derived therefrom; (2) information
13 obtained, collected or prepared in connection with examinations,
14 inspections or investigations; (3) complaints from the public received
15 by the Department of Banking; and (4) confidential supervisory

16 information obtained from a state, federal or foreign regulatory
17 agency.

18 (b) Examination [, operating or condition] reports prepared by the
19 commissioner or prepared on behalf of or for the use of the
20 commissioner shall be confidential unless otherwise a matter of public
21 record and no information contained therein shall, except with the
22 prior written consent of the commissioner, be disclosed or otherwise
23 made public by any director, officer, employee or agent of any
24 [financial institution, as defined in section 36a-41,] Connecticut bank or
25 Connecticut credit union about which such report was prepared.

26 (c) Disclosure of the records described in subsection (a) of this
27 section shall be made under safeguards designed to prevent further
28 dissemination of such records. The court shall issue a protective order
29 to protect the confidentiality of any such record and order that any
30 such record on file with the court or filed in connection with the court
31 proceeding be sealed and that the public be excluded from any portion
32 of the proceeding where any such record is disclosed.

33 (d) Notwithstanding any other provision of this section, the
34 commissioner may, without waiving any privilege, disclose the
35 records described in subsection (a) of this section for any appropriate
36 supervisory, governmental, law enforcement or other public purpose.

BA Committee Vote: Yea 18 Nay 0 JF