



General Assembly

February Session, 2024

**Substitute Bill No. 5146**



**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 Section 36a-42 of the general statutes is repealed and the  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 disclose 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,  
32 pursuant to subdivision (1) of subsection (a) of this section not later than  
33 twenty calendar days after the financial institution receives such  
34 certificate.

35 Sec. 2. Subsection (c) of section 36a-43 of the general statutes is  
36 repealed and the following is substituted in lieu thereof (*Effective October*  
37 *1, 2024*):

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

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 Section 36a-45 of the general statutes is repealed and the  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

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

51 (b) Any person who knowingly and wilfully induces or attempts to

