

## §226. Confidentiality

**1. Requirement.** Except as provided in subsections 2 and 3, the following information derived by or communicated to the superintendent or to any employee of the bureau is confidential and may not be disclosed or made public:

- A. Information designated confidential under federal law or regulations; [PL 2007, c. 597, §11 (NEW).]
  - B. Examination and investigative working papers and reports; [PL 2007, c. 597, §11 (NEW).]
  - C. Personal identifying information of consumers and other complainants who contact the bureau; [PL 2007, c. 597, §11 (NEW).]
  - D. Personal identifying information of the governing body organizers and the proposed investors of a financial institution contained in an application filed with the bureau; [PL 2007, c. 597, §11 (NEW).]
  - E. Privileged trade secrets, detailed business plans and commercial or financial information that, if disclosed to the public, would cause detriment to the financial institution; and [PL 2007, c. 597, §11 (NEW).]
  - F. Information other than that in paragraphs A to E for which the superintendent determines that confidential treatment is necessary and appropriate for the supervision of a specific financial institution or for state-chartered financial institutions in general. [PL 2007, c. 597, §11 (NEW).]
- [PL 2007, c. 597, §11 (AMD).]

**2. Disclosure to Governor; Attorney General.** The superintendent may disclose such information to the Governor or to the Attorney General of this State at such times and under such circumstances as the superintendent deems necessary and appropriate to the proper discharge of his duties and responsibilities under this Title; and the superintendent shall disclose such information upon written request of the Governor or Attorney General.  
[PL 1975, c. 500, §1 (NEW).]

**3. Disclosure to others.** The superintendent may disclose the information specified in subsection 1 to the following persons or entities, except that information furnished to the superintendent that has been designated as confidential by a state or federal agency furnishing the information may not be disclosed by the recipient of the information unless disclosure has been authorized by the furnishing agency. Whenever confidential information is disclosed pursuant to this section, the information remains the property of the bureau or the furnishing agency and the recipients of the confidential information may not disclose or make public information so communicated, except as authorized by the superintendent or pursuant to other provisions of this Title:

- A. The Treasurer of State and the Commissioner of Professional and Financial Regulation; [PL 1995, c. 628, §14 (AMD).]
- B. [PL 1995, c. 628, §14 (RP).]
- C. State departments that, in the opinion of the superintendent, require this information; [PL 1995, c. 628, §14 (AMD).]
- D. Other persons, including other state, foreign or federal regulatory officials, who, in the opinion of the superintendent, require this information to facilitate the general conduct of supervisory activities of the bureau; [PL 1995, c. 628, §14 (AMD).]
- E. A court of law or equity, but only with the written consent of the superintendent or pursuant to a special order of the court; and [PL 1995, c. 628, §14 (AMD).]

F. To those persons or entities necessary in order to comply with provisions of this Title relating to legal or regulatory proceedings and to disclosure or publication of certain applications, reports, statistics and information. [PL 2007, c. 597, §12 (AMD).]

[PL 2007, c. 597, §12 (AMD).]

**4. Penalty.** A person who intentionally or knowingly discloses confidential information in violation of this section commits a Class E crime.

[PL 2007, c. 597, §13 (RPR).]

#### SECTION HISTORY

PL 1975, c. 500, §1 (NEW). PL 1975, c. 666, §7 (AMD). PL 1979, c. 541, §A89 (AMD). PL 1995, c. 628, §14 (AMD). PL 1999, c. 184, §7 (AMD). PL 2007, c. 597, §§11-13 (AMD).

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