

§13212. Confidential records

The records and proceedings of the corporation are public for the purposes of Title 1, chapter 13 except as otherwise provided in this section. [PL 2025, c. 258, §6 (NEW).]

1. Definition. As used in this section, unless the context otherwise indicates, "proprietary information" means information that is:

A. A trade secret; or [PL 2025, c. 258, §6 (NEW).]

B. Manufacturing, commercial or financial information, the disclosure of which would:

(1) Impair the competitive position of the corporation or the person submitting the information; and

(2) Would make publicly available information that is not otherwise publicly available. [PL 2025, c. 258, §6 (NEW).]

[PL 2025, c. 258, §6 (NEW).]

2. Information public unless designated as confidential; proprietary information.

Information provided to or developed by the corporation and included in a business or marketing plan is considered a public record unless the person to whom the information belongs or pertains requests that it be designated as confidential and the corporation determines that it contains proprietary information, in which case it is not a public record under Title 1, section 402, subsection 3, paragraph A.

[PL 2025, c. 258, §6 (NEW).]

3. Tax or financial information. Any financial statement or supporting data of a financial statement or tax return of any person is confidential.

[PL 2025, c. 258, §6 (NEW).]

4. Credit assessment. Any record obtained by the corporation that contains an assessment of the creditworthiness, credit rating or financial condition of any person is confidential.

[PL 2025, c. 258, §6 (NEW).]

This section does not prohibit the disclosure of information that is otherwise publicly available.

[PL 2025, c. 258, §6 (NEW).]

SECTION HISTORY

PL 2025, c. 258, §6 (NEW).

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