

CHAPTER 13A

RELEASE OF INFORMATION BY FINANCIAL INSTITUTIONS

13A.02 ACCESS TO FINANCIAL RECORDS
BY GOVERNMENT AUTHORITIES
PROHIBITED.

13A.04 EXCEPTIONS.

13A.02 ACCESS TO FINANCIAL RECORDS BY GOVERNMENT AUTHORITIES PROHIBITED.

Subdivision 1. **Access by government.** Except as authorized by this chapter, no government authority may have access to, or obtain copies of, or the information contained in, the financial records of any customer from a financial institution unless the financial records are reasonably described and:

- (1) the customer has authorized the disclosure;
- (2) the financial records are disclosed in response to a search warrant;

(3) the financial records are disclosed to law enforcement, a lead agency as defined in section 626.5572, subdivision 13, or prosecuting authority that is investigating financial exploitation of a vulnerable adult in response to a judicial subpoena or administrative subpoena under section 388.23; or

(4) the financial records are disclosed pursuant to section 609.535 or other statute or rule.

Subd. 2. **Release prohibited.** No financial institution, or officer, employee, or agent of a financial institution, may provide to any government authority access to, or copies of, or the information contained in, the financial records of any customer except in accordance with the provisions of this chapter.

Nothing in this chapter shall require a financial institution to inquire or determine that those seeking disclosure have duly complied with the requirements of this chapter, provided only that the customer authorization, search warrant, subpoena, or written certification pursuant to section 609.535, subdivision 6; 626.557; or other statute or rule, served on or delivered to a financial institution shows compliance on its face.

[For text of subs 3 to 6, see M.S.2008]

History: 2009 c 119 s 1,2

13A.04 EXCEPTIONS.

Subdivision 1. **Statutory violations; financial exploitation.** Nothing in this chapter precludes any financial institution, or any officer, employee, or agent of a financial institution, from notifying a government authority that the institution, or officer, employee, or agent has information which may be relevant to a possible violation of any statute or rule or the financial exploitation of a vulnerable adult and providing access to financial records relevant to the possible violation or financial exploitation.

[For text of subs 2 to 4, see M.S.2008]

History: 2009 c 119 s 3