

A bill for an act

relating to privacy; reinstating authority for release of financial records in response to a subpoena; amending Minnesota Statutes 2009 Supplement, section 13A.02, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2009 Supplement, section 13A.02, subdivision 1, is amended to read:

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 in response to a judicial or administrative subpoena;

~~(3)~~ (4) 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)~~ (5) the financial records are disclosed pursuant to section 609.535 or other statute or rule.

**EFFECTIVE DATE.** This section is effective retroactive to August 1, 2009.