

FIRST REGULAR SESSION

# SENATE BILL NO. 63

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROBERTS.

0564S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 362, RSMo, by adding thereto one new section relating to financial institutions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 362, RSMo, is amended by adding thereto  
2 one new section, to be known as section 362.034, to read as  
3 follows:

362.034. 1. Any entity that operates as a facility  
2 licensed or certified under Article XIV, Section 1 of the  
3 Constitution of Missouri may request in writing that a state  
4 or local licensing authority or agency, including but not  
5 limited to the department of health and senior services or  
6 department of revenue, share the entity's application,  
7 license, or other regulatory and financial information with  
8 a banking institution. A state or local licensing authority  
9 or agency may also share such information with the banking  
10 institution's state and federal supervisory agencies.

11 2. In order to ensure the state or local licensing  
12 authority or agency is properly maintaining the  
13 confidentiality of individualized data, information, or  
14 records, an entity shall include in the written request a  
15 waiver giving authorization for the transfer of the  
16 individualized data, information, or records and waiving any  
17 confidentiality or privilege that applies to that  
18 individualized data, information, or records.

19           3. This section shall only apply to the disclosure of  
20 information by a state or local licensing authority or  
21 agency reasonably necessary to facilitate the provision of  
22 financial services by a banking institution to the entity  
23 making a request pursuant to this section.

24           4. The recipient of any information pursuant to this  
25 section shall treat such information as confidential and use  
26 it only for the purposes described in this section.

27           5. Nothing in this section shall be construed to  
28 authorize the disclosure of confidential or privileged  
29 information, nor waive an entity's rights to assert  
30 confidentiality or privilege, except as reasonably necessary  
31 to facilitate the provision of financial services for the  
32 entity making the request.

33           6. An entity that has provided a waiver pursuant to  
34 this section may withdraw the waiver with thirty days'  
35 notice in writing.

36           7. Nothing in this section shall be construed to  
37 modify the requirements of chapter 610.

38           8. For purposes of this section, the following terms  
39 mean:

40           (1) "Banking institution", the same meaning as in  
41 Article IV, Section 15 of the Missouri Constitution;

42           (2) "Entity", the same meaning as in Article XIV,  
43 Section 1 of the Missouri Constitution.

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