

Article - Financial Institutions

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§1–303.

This subtitle does not prohibit:

(1) The preparation, examination, handling, or maintenance of financial records by any officer, employee, or agent of a fiduciary institution that has custody of the records;

(2) The examination of financial records by a certified public accountant while engaged by a fiduciary institution to perform an independent audit;

(3) The examination of financial records by, or the disclosure of financial records to, any officer, employee, or agent of a supervisory agency for use only in the exercise of that person's duties as an officer, employee, or agent;

(4) The publication of information derived from financial records if the information cannot be identified to any particular customer, deposit, or account;

(5) The making of reports or returns required or permitted by federal or State law;

(6) The disclosure of any information permitted to be disclosed under those provisions of the Commercial Law Article that relate to the dishonor of a negotiable instrument;

(7) The exchange, in the regular course of business, of credit information between a fiduciary institution and any other fiduciary institution or commercial enterprise, if made directly or through a consumer reporting agency;

(8) The exchange, in the regular course of business, of a statement of a mortgage account on the subject property in connection with a sale, refinancing, or foreclosure, of real property; or the disclosure, in the regular course of business, of a statement of a mortgage account on the subject property to the holder of any subordinate mortgage or security interest;

(9) The disclosure to a State's Attorney of any information in accordance with § 8-104(c) of the Criminal Law Article (regarding the presentation of a certificate under oath to prove insufficient funds and dishonor of checks);

(10) A fiduciary institution from disclosing to the Department of Human Resources an individual's financial records that the Department determines are necessary to verify or confirm the individual's eligibility or ineligibility for public assistance;

(11) In a prosecution outside the State for the crime of obtaining property

or services by bad check, the presentation to the prosecutor of a certificate under oath by an authorized representative of a drawee that declares the dishonor of the check by the drawee, the lack of an account with the drawee at the time of utterance, or the insufficiency of the drawer's funds at the time of presentation and utterance;

(12) The disclosure of the financial records of one of its customers by a fiduciary institution to an affiliate that extends credit for the sole purpose of evaluating a requested or existing extension of credit to that customer by an affiliate of the fiduciary institution; or

(13) A fiduciary institution from disclosing to the Comptroller an individual's financial records that the Comptroller determines are necessary to enforce the tax laws of the State.

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