

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 3139

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Subject: Release of financial records

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Current law prohibits a government authority from accessing the records of any customer of a financial institution in Minnesota with some exceptions. This bill would add an exception permitting disclosure of the records if the disclosure is in response to a judicial or administrative subpoena. This language is identical to language that was stricken in a bill enacted during the 2009 session related to investigations of financial exploitation of vulnerable adults. This bill would apply retroactively to August 1, 2009, effectively negating the action of the legislature last year with respect to this provision.

A *judicial subpoena* is an order issued by a court, as part of a judicial proceeding, to appear or provide specified documents or information to the court.

An *administrative subpoena* is an order to appear or provide documents or information that is issued by a governmental official or entity. Administrative subpoenas may only be issued if the official or entity has statutory authority to do so and may be enforced in district court.