



Ninety-Eighth Legislature - First Session - 2003  
**Introducer's Statement of Intent**  
**LB 156**

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**Chairperson:** Mark Quandahl  
**Committee:** Banking, Commerce and Insurance  
**Date of Hearing:** January 28, 2003

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 156 would clarify the circumstances under which a financial institution or other entity would be required to disclose customer records or information that they deem confidential. LB 156 would require a financial institution or other entity when dealing with a law enforcement agency or state agency to be presented with (a) a lawful subpoena, summons, or warrant issued by a court of competent jurisdiction to a law enforcement agency; or (b) a lawful subpoena issued under the laws of this state by a government agency exercising investigatory or adjudicative functions with respect to a matter within the agency's jurisdiction. In addition, the revisions would recognize the ability of a financial institution or other entity to disclose customer records or information deemed to be confidential pursuant to a statute which by its terms or by rules or regulations adopted and promulgated thereunder requires the disclosure in a fashion other than by subpoena, summons, warrant or court order.

In cases involving law enforcement agencies, the subpoena, summons, or warrant would be required to be accompanied by a certification that (a) a copy of the subpoena, summons, or warrant has been served on the person whose information or records are being sought; or (b) service has been waived by the court for good cause. In the case of a request for disclosure of information or records by a state agency, the request would need to be accompanied by a certification that notice of the request has been served on the person whose information or records are being sought.

**Principal Introducer:** \_\_\_\_\_  
**Senator Mark Quandahl**