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|--------------------|---------------------|
| PREVAILED          | Roll Call No. _____ |
| FAILED             | Ayes _____          |
| WITHDRAWN          | Noes _____          |
| RULED OUT OF ORDER |                     |

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1654 be amended to read as follows:

- 1 Page 2, after line 35, begin a new paragraph and insert:
- 2 "SECTION 3. IC 28-8-4-47 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 47. (a) Notwithstanding
- 4 any other provision of law, all information or reports obtained by the
- 5 director from an applicant, a licensee, or an authorized delegate,
- 6 whether obtained through reports, applications, examination, audits,
- 7 investigation, or otherwise, including but not limited to:
- 8 (1) all information contained in or related to:
- 9 (A) examination;
- 10 (B) investigation;
- 11 (C) operation; or
- 12 (D) condition reports prepared by, on behalf of, or for the use
- 13 of the director; or
- 14 (2) financial statements, balance sheets, or authorized delegate
- 15 information;
- 16 are confidential and may not be disclosed or distributed outside the
- 17 department by the director or any officer or employee of the
- 18 department, except as provided in subsection (b).
- 19 (b) The director may provide for the release of information to
- 20 representatives of state or federal:
- 21 (1) **financial institution supervisory agencies;**
- 22 (2) **law enforcement agencies; or**
- 23 (3) **prosecutorial agencies or offices;**
- 24 ~~who state in writing under oath that they shall~~ **are required to**

1 maintain the confidentiality of the information ~~if~~ **as described in**  
2 **IC 28-1-2-30.**  
3 (1) ~~the licensee provides consent before the release; or~~  
4 (2) ~~the director finds that the release is reasonably necessary for~~  
5 ~~the protection of the public and in the interests of justice; and the~~  
6 ~~licensee has been given prior notice by the director to release the~~  
7 ~~information.~~  
8 (c) Nothing in this section shall prohibit the director from releasing  
9 to the public a list of persons licensed under this chapter or from  
10 releasing aggregated financial data on such licensees."  
(Reference is to HB 1654 as printed February 18, 2003.)

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Representative Bardon