

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2164
(Senators Dever, Cleary, Lee, Roers)
(Representatives Klemin, Karls)

AN ACT to amend and reenact section 6-08.1-03 of the North Dakota Century Code, relating to the duty of confidentiality and disclosure to the North Dakota protection and advocacy project.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 6-08.1-03 of the North Dakota Century Code is amended and reenacted as follows:

6-08.1-03. Duty of confidentiality.

A financial institution may not disclose customer information to a person, governmental agency, or law enforcement agency unless the disclosure is made in accordance with any of the following:

1. Pursuant to consent granted by the customer in accordance with this chapter.
2. To a person other than a governmental agency or law enforcement agency pursuant to valid legal process.
3. To a governmental agency or law enforcement agency pursuant to valid legal process in accordance with this chapter.
4. For the purpose of reporting a suspected violation of the law in accordance with this chapter.
5. For the purpose of notifying the agriculture commissioner a financial institution has notified a customer of the availability of the North Dakota mediation service.
6. As part of the disclosure made of deposits of public corporations with financial institutions in the security pledge schedule verified by the custodian of securities pursuant to section 21-04-09.
7. For purposes of reporting suspected exploitation of an eligible adult as defined by section 12.1-31-07. This subsection may not be construed to impose a duty on a financial institution to investigate an alleged or suspected exploitation of an eligible adult or to make a report to a governmental agency or law enforcement agency.
8. For purposes of reporting suspected financial exploitation of an eligible adult under chapter 6-08.5 to a law enforcement agency, the protection and advocacy project under chapter 25-01.3, or the department of health and human services. This subsection may not be construed to impose a duty on a financial institution to investigate a suspected financial exploitation of an eligible adult or to make a report to the department of health and human services or, law enforcement agency, or the protection and advocacy project.

Bud Beckstead
President of the Senate

John Wiersz
Speaker of the House

Mandi Moya
Secretary of the Senate

Buell J. Reick
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2164.

Senate Vote: Yeas 44 Nays 0 Absent 3

House Vote: Yeas 93 Nays 0 Absent 1

Mandi Moya
Secretary of the Senate

Received by the Governor at 3:08 P M. on March 14, 2025.

Approved at 3:55 P M. on March 17, 2025.

[Signature]
Governor

Filed in this office this 18th day of March, 2025,

at 2:23 o'clock P M.

Michael Howe
Secretary of State