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Date: (Filing No. H- )

**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 445, L.D. 676, “An Act to Protect Financial Privacy”

Amend the bill by inserting after section 4 the following:

**'Sec. 5. 9-B MRSA §164, sub-§4** is enacted to read:

**4. Civil action.** A customer may bring a civil action against a financial institution authorized to do business in this State or a credit union authorized to do business in this State that discloses to a federal agency financial records pertaining to the customer's relationship with the financial institution or credit union in the absence of a lawful subpoena, summons, warrant or court order as required by section 162. The action may be brought in either the Superior Court or District Court for actual damages, restitution and other equitable relief, including an injunction, that the court determines necessary and proper.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is a minority report of the committee, clarifies that a customer may bring a civil action against a financial institution or credit union authorized to do business in this State that discloses the customer's financial records to a federal agency in the absence of a lawful subpoena, summons, warrant or court order.

**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**