

AN ACT

ENTITLED, An Act to revise certain provisions concerning the confidentiality of bank examinations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 51A-2-35 be amended to read as follows:

51A-2-35. The records of the division are open to public inspection. However:

- (1) The director may withhold from public inspection any record, including any correspondence, for so long as deemed necessary for the protection of a person or bank or to be in the public interest;
- (2) The director shall withhold from public inspection any record required to be confidential pursuant to federal statutes or rules or regulations of the board of governors of the federal reserve system or the Federal Deposit Insurance Corporation; and
- (3) Reports of examination shall remain the property of the division and shall be furnished to the bank for its confidential use. Under no circumstances may the report or any supporting documentation be disclosed to anyone, other than directors and officers of the bank or anyone who is acting in a fiduciary capacity for the bank, without written permission from the director.

Any record of the division shall be made available upon order of a court of competent jurisdiction if cause is shown.

An Act to revise certain provisions concerning the confidentiality of bank examinations.

=====
I certify that the attached Act
originated in the

HOUSE as Bill No. 1045

Chief Clerk
=====

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1045
File No. _____
Chapter No. _____

=====
Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor

=====
STATE OF SOUTH DAKOTA,
SS.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State