



# UTAH STATE SENATE

319 STATE CAPITOL • SALT LAKE CITY, UTAH 84114 • (801) 538-1035

February 19, 1999

Mr. President:

The Judiciary Committee reports a favorable recommendation on **S.B. 148, PRIVACY OF FINANCIAL RECORDS**, by Senator K. Hale, with the following amendments:

1. Page 1, Line 15: After line 15 insert:  
"78-27-49, as enacted by Chapter 143, Laws of Utah 1977"
  2. Page 8, Line 244: After line 244 insert:  
"Section 6. Section **78-27-49** is amended to read:  
**78-27-49. Financial information privacy -- Admissibility of information restricted.**  
~~[No information]~~ (1) Information obtained directly or indirectly from a financial institution in violation of ~~[the provisions of this act shall]~~ Sections 78-27-45 through 78-27-47 may not be admissible in any court of this state against the person entitled to notice.  
(2) This section does not apply in any action:  
(a) between the financial institution and the person otherwise entitled to notice; or ~~[in any action]~~  
(b) in which it is claimed that the financial institution has been the victim of fraud, embezzlement or any other criminal act committed by the person otherwise entitled to notice."
- Renumber remaining sections accordingly.**
3. Page 9, Line 248: After "through" delete "78-27-50" and insert "78-27-47"
  4. Page 10, Line 285: After "obtains a" delete "protected"

Respectfully,

Terry Spencer  
Committee Chair

Voting: 4-0-2  
3 Sb0148.sc1 bbrinton/JDH PO/MCP 8:37 AM

Bill Number	Action Class	Action Code
SB0148	S	SCRAMD