

## AN ACT concerning

## Credit Cards - Disclosures of Financial Records

FOR the purpose of requiring any subpoena served on an entity which issues a credit card for information related to the credit card holder's account to contain a certain certification that the credit card holder has been notified of the subpoena by the party seeking the information and of the requirements of the subpoena; authorizing a fiduciary institution to produce financial records or information derived from financial records in answer to a subpoena in the alternative to disclosing those records; and providing that production or disclosure of financial records or financial information by a fiduciary institution is permitted if a subpoena requiring disclosure or production contains a certain certification that a copy of the subpoena has been sent by certified mail, return receipt requested, to served on the person whose records are sought by the party seeking the disclosure or production or if that mailing service is waived by a court for good cause.

BY repealing and reenacting, with amendments,

Article - Commercial Law  
Section 13-312  
Annotated Code of Maryland  
(1983 Replacement Volume and 1985 Supplement)

BY repealing and reenacting, with amendments,

Article - Financial Institutions  
Section 1-304  
Annotated Code of Maryland  
(1980 Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

## Article - Commercial Law

13-312.

[If an entity which issues a credit card to a person in this State is served with a subpoena for information related to the person's account, the issuer immediately shall advise the person of the subpoena] ANY SUBPOENA SERVED ON AN ENTITY WHICH ISSUES A CREDIT CARD TO A PERSON IN THIS STATE FOR INFORMATION RELATING TO THE PERSON'S ACCOUNT SHALL CONTAIN A CERTIFICATION THAT THE PERSON HAS BEEN NOTIFIED OF THE SUBPOENA BY THE PARTY SEEKING THE INFORMATION and OF any requirements made of the issuer by the subpoena. A notice of such subpoena sent to the last known address of the credit card holder shall be deemed compliance with