

(1998 Replacement Volume and 1999 Supplement)

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

Article - Financial Institutions

1-306.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FINANCIAL EXPLOITATION" MEANS ANY ACTION WHICH INVOLVES THE MISUSE OF AN ADULT A CUSTOMER'S FUNDS OR PROPERTY.

(3) "REPORT" MEANS AN ORAL OR WRITTEN REPORT CONCERNING FINANCIAL EXPLOITATION WHICH MAY INCLUDE ALL OR PART OF THE INFORMATION DESCRIBED IN § 14-302(D) OF THE FAMILY LAW ARTICLE.

~~(A)~~ (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION MAY DISCLOSE FINANCIAL RECORDS AND ANY OTHER INFORMATION RELATING TO A AN ADULT A CUSTOMER OF THE FIDUCIARY INSTITUTION IF THE FIDUCIARY INSTITUTION OR ITS OFFICER, EMPLOYEE, AGENT, OR DIRECTOR:

(1) HAS REASON TO BELIEVE BELIEVES THAT THE CUSTOMER HAS BEEN SUBJECTED TO FINANCIAL EXPLOITATION; AND

(2) MAKES THE DISCLOSURE IN A REPORT TO THE ADULT PROTECTIVE SERVICES PROGRAM IN A LOCAL DEPARTMENT OF SOCIAL SERVICES IN A REPORT FILED UNDER § 14-302(C) OF THE FAMILY LAW ARTICLE.

(C) ~~(1)~~ A REPORT FILED BY A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION PURSUANT TO THIS SECTION SHALL BE DEEMED TO PROTECT AGAINST OR PREVENT ACTUAL OR POTENTIAL FRAUD, UNAUTHORIZED TRANSACTIONS, OR OTHER LIABILITY.

~~(2)~~ (D) A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION MAY DECLINE TO PROVIDE TO ANY PERSON INFORMATION THAT WOULD DISCLOSE OR INDICATE WHETHER A REPORT HAS OR HAS NOT BEEN MADE UNDER THIS SECTION.

~~(B)~~ ~~(D)~~ (E) THERE SHALL BE NO LIABILITY ON THE PART OF AND, NO CAUSE OF ACTION OF ANY NATURE SHALL ARISE AGAINST, AND THERE SHALL BE IMMUNITY FROM ANY CIVIL AND CRIMINAL LIABILITY THAT WOULD OTHERWISE RESULT FOR A FIDUCIARY INSTITUTION OR AN OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FIDUCIARY INSTITUTION FOR AN ACTION OR OMISSION INVOLVED WITH:

(1) MAKING OR PARTICIPATING IN MAKING A DISCLOSURE OR REPORT UNDER SUBSECTION (A) OF THIS SECTION; OR