



Ohio Revised Code Section 1112.23 Confidentiality.

Effective: September 14, 2016

Legislation: House Bill 229 - 131st General Assembly

(A) Except as provided in division (D) of this section, the superintendent of financial institutions, the superintendent's agents, and employees shall keep privileged and confidential all of the following information:

- (1) Application information and other information obtained from a family trust company, including the names and addresses of the directors and officers, the names and addresses of the stockholders, family members, or other owners, capital contributions, and business affiliations;
- (2) Information required to be reported to, or filed with, the superintendent of financial institutions under this chapter, including the affidavit described in division (A)(1) of section 1112.03 of the Revised Code;
- (3) Information leading to, arising from, or obtained in the course of an examination or investigation conducted under the authority of this chapter;
- (4) Information relating to a family trust company that qualifies as nonpublic personal information under 15 U.S.C. 6809 and the regulations adopted thereunder;
- (5) Information or agreements relating to any merger, consolidation, or transfer;
- (6) Any other private information relating to a family trust company.

(B) Any person who receives privileged and confidential information as described in division (A) of this section is subject to the requirements of this section. No person, knowing the information is privileged and confidential, shall purposely divulge the information in any manner.

(C) Neither the superintendent, nor any agent or employee of the superintendent, shall purposely make, or cause to be made, any false statements or reports regarding the affairs or condition of a



family trust company.

(D) The information described in division (A) of this section shall remain confidential and not discoverable from any source, and shall not be introduced into evidence, except in the following circumstances:

- (1) When it is necessary for the superintendent to take official action regarding the affairs of a family trust company;
- (2) To assist another state or a federal agency investigating activities regulated under this chapter;
- (3) When obtained by a law enforcement officer pursuant to a subpoena, court order, search warrant, or other lawful means.

(E) The discovery of information pursuant to division (D) of this section shall be limited to information that directly relates to the family trust company that is the subject of the enforcement action or litigation.