

S.2

An act relating to information sharing by the Commissioner of Financial Regulation

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 8 V.S.A. § 22(b) is amended to read:

(b) In order to assist in the performance of the Commissioner's duties, the Commissioner:

(1) may share documents, materials, or other information, including confidential and privileged documents, materials, or other information with other state, federal, or international ~~regulatory~~ agencies; the National Association of Insurance Commissioners; the North American Securities Administrators Association; the International Association of Insurance Supervisors; the Conference of State Bank Supervisors; the National Association of State Credit Union Supervisors; self-regulatory organizations organized under 15 U.S.C. §§ 78f, 78o-3 and 78q-1; other self-regulatory organizations and their affiliates or subsidiaries; and with state, federal, and international law enforcement authorities, provided that the recipient agrees to maintain the confidentiality and privileged status of the document, material, or other information;

(2) may receive documents, materials, or information, including otherwise confidential and privileged documents, materials, or information, from other state, federal, and international ~~regulatory~~ agencies; the National

Association of Insurance Commissioners; the North American Securities Administrators Association; the International Association of Insurance Supervisors; the Conference of State Bank Supervisors; the National Association of State Credit Union Supervisors; self-regulatory organizations organized under 15 U.S.C. §§ 78f, 78o-3 and 78q-1; other self-regulatory organizations and their affiliates or subsidiaries; and from state, federal, and international law enforcement authorities; and shall maintain as confidential or privileged any document, material, or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or information;

(3) may enter into agreements governing sharing and use of information consistent with this section; and

(4) shall determine, prior to sharing information about an individual pursuant to subdivision (1) of this subsection, that sharing the information will substantially further the performance of the regulatory or law enforcement duties of the recipient.

Sec. 2. 8 V.S.A. § 11505 is amended to read:

§ 11505. COOPERATIVE AND OTHER AGREEMENTS

(a) The Commissioner may enter into cooperative, coordinating, and information-sharing agreements with any other governmental agency, the Federal Home Loan Bank, or any organization affiliated with or representing

one or more governmental agencies with respect to the periodic examination or other supervision of any activity, branch, agency, office, or location in this State of a state financial institution, or any activity or branch of a Vermont financial institution located in any host state. Such agreements may be used to resolve conflicts arising from inconsistent regulatory requirements and to specify the manner in which any application process under section 15201 or 15202 of this title shall be coordinated.

(b) Agreements under this section may also be entered with nonbank regulatory agencies on matters affecting financial institutions organized or doing business in this State.

Sec. 3. 8 V.S.A. § 30605 is amended to read:

§ 30605. COOPERATIVE AND OTHER AGREEMENTS

(a) The Commissioner may enter into cooperative, coordinating, and information-sharing agreements with any other governmental agency, the Federal Home Loan Bank, or any organization affiliated with or representing one or more governmental agencies with respect to the periodic examination or other supervision of any activity, office, or location in this State of a state credit union, or any activity or office of a Vermont credit union located in any host state. Such agreements may be used to resolve conflicts arising from inconsistent regulatory requirements and to specify the manner in which any

application process under section 33102 or 33103 of this title shall be coordinated.

(b) Agreements under this section may also be entered with any other regulatory agencies on matters affecting any credit union organized or doing business in this State.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.