

RÉSUMÉ DIGEST

ACT 56 (HB 91)

2025 Regular Session

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Existing law provides that a bank may disclose records pursuant to a disclosure demand if certain conditions are met. One of these conditions required by existing law is that, before the return date, the person requesting the disclosure demand must furnish to the bank an affidavit certifying the following:

- (1) The disclosure demand was served on the bank's president, a registered agent of the bank for service of process, or, if applicable, the bank's counsel of record, unless the bank expressly waives service on any of these individuals.
- (2) Prior to the return date, the person requesting the disclosure demand furnishes to the bank an affidavit certifying that the disclosure demand, or a certified copy of the demand, was personally served on each customer named in the demand or on the customer's counsel of record. Further, such service was made at least 30 business days before the return date.

New law changes the aforementioned service requirement from 30 business days to 30 calendar days. New law otherwise retains existing law.

Existing law mandates that a bank be given a reasonable period of time before the return date, and no less than 30 business days before the return date, to complete the action necessary to disclose financial records that are the subject of a disclosure request. Existing law also mandates that the bank be reimbursed for any reasonable fees and costs incurred for complying with the request.

New law changes the aforementioned notice requirement from 30 business days to 30 calendar days. New law otherwise retains existing law.

Effective August 1, 2025.

(Amends R.S. 6:333(C)(2)(b) and (G))