

**62A-11-304.5 Financial institutions.**

- (1) The office shall enter into agreements with financial institutions doing business in the state:
  - (a) to develop and operate, in coordination with such financial institutions, a data match system that:
    - (i) uses automated data exchanges to the maximum extent feasible; and
    - (ii) requires a financial institution each calendar quarter to provide the name, record address, social security number, other taxpayer identification number, or other identifying information for each obligor who:
      - (A) maintains an account at the institution; and
      - (B) owes past-due support as identified by the office by name and social security number or other taxpayer identification number; and
  - (b) to require a financial institution upon receipt of a notice of lien to encumber or surrender assets held by the institution on behalf of an obligor who is subject to a child support lien in accordance with Section 62A-11-304.1.
- (2) The office may pay a reasonable fee to a financial institution for compliance with Subsection (1) (a), which may not exceed the actual costs incurred.
- (3) A financial institution may not be liable under any federal or state law to any person for any disclosure of information or action taken in good faith under Subsection (1).
- (4) The office may disclose a financial record obtained from a financial institution under this section only for the purpose of, and to the extent necessary in, establishing, modifying, or enforcing a child support obligation.
- (5) If an employee of the office knowingly, or by reason of negligence, discloses a financial record of an individual in violation of Subsection (4), the individual may bring a civil action for damages in a district court of the United States as provided for in the Social Security Act, 42 U.S.C. Sec. 669A.
- (6) The office shall provide notice and disburse funds seized or encumbered under this section in accordance with Section 62A-11-304.1.

Enacted by Chapter 232, 1997 General Session