

524.215 Records of division of banking.

1. All records of the division of banking shall be public records subject to the provisions of chapter 22, except that all papers, documents, reports, reports of examinations and other writings relating specifically to the supervision and regulation of any state bank or other person by the superintendent pursuant to the laws of this state shall not be public records and shall not be open for examination or copying by the public or for examination or publication by the news media.

2. The superintendent, members of the state banking council, examiners, or other employees of the banking division shall not be subpoenaed in any cause or proceeding to give testimony concerning information relating specifically to the supervision and regulation of any state bank or other person by the superintendent pursuant to the laws of this state, and the records of the banking division which relate specifically to the supervision and regulation of any such state bank or other such person shall not be offered in evidence in any court or subject to subpoena by any party except, where relevant:

a. In such actions or proceedings as are brought by the superintendent.

b. In any matter in which an interested and proper party seeks review of a decision of the superintendent.

c. In any action or proceeding which arises out of the criminal provisions of the laws of this state or the United States.

d. In any action brought as a shareholders derivative suit against a state bank or other entity regulated by the superintendent.

e. In an action brought to recover moneys for a loss in connection with an indemnity bond which was a result of embezzlement, misappropriation, or misuse of state bank funds by a director, officer, or employee of the state bank.

f. In an action brought to recover moneys for a loss in connection with an indemnity bond which was a result of embezzlement, misappropriation, or misuse of funds, belonging to an entity regulated by the superintendent, by a director, officer, or employee of the entity.

[C31, 35, § 9146-c1; C39, § **9146.1**; C46, 50, 54, 58, 62, 66, § 524.19; C71, 73, 75, 77, 79, 81, § 524.215]

95 Acts, ch 148, §15; 96 Acts, ch 1056, § 4; 2004 Acts, ch 1141, §13; 2007 Acts, ch 88, §5, 6