

286.8-150 Records filed with commissioner open to public inspection -- Exception.

- (1) Except as otherwise provided by law, applications for registration or renewals, all papers, documents, reports, and other written instruments filed with the commissioner under this subtitle, or obtained pursuant to an examination by the Department of Financial Institutions are open to public inspection, except that the commissioner pursuant to the provisions of KRS Chapter 61 may classify as confidential or withhold from public inspection for such time as he or she considers necessary any information which, in his or her judgment, the public welfare or the welfare of any licensee or registrant or its customers requires to be so withheld. All investigations and information contained therein shall not be public until such time as the commissioner makes all or part of the investigation public or the investigation is closed.
- (2) The commissioner may classify as confidential certain records and information obtained by the Department of Financial Institutions when such matters are obtained from the Nationwide Mortgage Licensing System and Registry or from a governmental agency.
- (3) The commissioner may classify as confidential and prohibit the disclosure of any request for documents or records submitted pursuant to KRS 286.8-180, for such time as deemed necessary if, in the commissioner's judgment, the disclosure of said request for documents or records may impede or interfere with an ongoing investigation conducted pursuant to KRS 286.8-140 or may cause the destruction or sequestration of documents by the targeted party.
- (4) Notwithstanding any provision to the contrary in this subtitle or in KRS Chapter 61, any information, documents, or material provided to or obtained from the Nationwide Mortgage Licensing System and Registry shall be subject to the confidentiality requirements set forth in Section 1512 of the S.A.F.E. Mortgage Licensing Act, Pub. L. No. 110-289, and amendments thereto.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 780, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 104, sec. 11, effective June 25, 2009. -- Created 1980 Ky. Acts ch. 365, sec. 16, effective July 15, 1980.

Formerly codified as KRS 294.150.

Legislative Research Commission Note (7/12/2006). In accordance with 2006 Ky. Acts ch. 247, secs. 38 and 39, this statute has been renumbered as a section of the Kentucky Financial Services Code, KRS Chapter 286, and KRS references within this statute have been adjusted to conform with the 2006 renumbering of that code.