

§8410. Licensee Authorization to Release Data to Financial Institutions

(a) A licensee may authorize the Department to provide information to a financial institution for purposes of facilitating the provision of financial services. The authorization shall be made in writing, through a form prescribed by the department, which shall include the following information:

- (1) The name of the licensed business for which the licensee is authorizing the release of information;
- (2) The business's license number(s);
- (3) The financial institution authorized to receive information;
- (4) The name, phone number, email address, and signature of the owner submitting the authorization;
- (5) The categories of information specified in subdivision (b) that are authorized for release; and
- (6) An acknowledgement that the authorization to release information includes information that is otherwise protected from disclosure, that the licensee is waiving privilege and confidentiality, and that the scope of the release is strictly limited for the purposes of disclosure to the financial institution.

(b) After receipt of the authorization, the Department shall release the following information, as designated by the licensee, when requested pursuant to section 8411 by an authorized financial institution:

- (1) The license application(s), including renewal applications, excluding information required to be kept confidential pursuant to Penal Code section 11105 and confidential personal information of individual owners of the licensed business;
- (2) Information captured in the track-and-trace system established pursuant to Business and Professions Code section 26067, including, but not limited to, aggregated sales or transfer information, as applicable;
- (3) Documents issued to the licensee pursuant to disciplinary or enforcement proceedings;

(c) A licensee may withdraw the authorization to provide information to a financial institution at any time. The withdrawal shall be made in writing, through a form prescribed by the department, and shall include the following information:

- (1) The name of the licensed business for which the licensee is withdrawing the authorization of the release of information;
- (2) The business's license number(s);
- (3) The financial institution from which authorization to receive information is withdrawn;

(4) The name, phone number, email address, and signature of the owner submitting the withdrawal.

Authority: Section 26012 and 26013, Business and Professions Code. Reference: Section 26260, Business and Professions Code.

§8411. Financial Institution Request for Licensee Information

A financial institution as defined in Business and Professions Code section 26260(c)(3) may request information related to a licensee for purposes of facilitating the provision of financial services for that licensee. The request shall be made in writing, through a form prescribed by the Department, which shall include the following information:

(a) The name of the financial institution;

(b) The name, phone number, email, and signature of the representative of the financial institution requesting information;

(c) The business name and license number of the licensee for which the financial institution is requesting information;

(d) The type of financial services for which the information is requested (including, but not limited to, establishment or maintenance of bank accounts, extending loans, and providing insurance) and whether the request is for consideration of a new service or maintenance of an existing service;

(e) The specific information requested as described in section 8410(a) if authorized by the licensee; and

(f) An acknowledgment that use of the information is limited to that which is necessary for the provision of financial services.

Authority: Section 26012 and 26013, Business and Professions Code. Reference: Section 26260, Business and Professions Code.