

**§13119-A. Records confidential**

The following records are confidential for purposes of Title 1, section 402, subsection 3, paragraph A and are not open for public inspection: [PL 1991, c. 368 (NEW).]

**1. Proprietary information.** Information that is provided to or developed by the department or a municipality that has to do with a program of assistance and is included in a business or marketing plan or a grant application or provided or developed to fulfill reporting requirements, as long as:

A. The person to whom the information belongs or pertains requests that it be designated as confidential; and [PL 1991, c. 368 (NEW).]

B. The department or municipality determines that the information gives the person making the request opportunity to obtain business or competitive advantage over another person who does not have access to that information or will result in loss of business or other significant detriment to the person making the request if access is provided to others; [PL 1991, c. 368 (NEW).]  
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**2. Tax or financial information.** Any financial statement, supporting data or tax return of any person;  
[PL 1991, c. 368 (NEW).]

**3. Monitoring.** Any financial statement, supporting data or tax return obtained or developed by the department or the municipality in connection with any monitoring or servicing activity by the department or the municipality pertaining to any program of assistance provided or to be provided;  
[PL 1991, c. 368 (NEW).]

**4. Credit assessment.** Any record obtained by the department or the municipality that contains an assessment of the credit worthiness, credit rating or financial condition of any person or project; and  
[PL 1991, c. 368 (NEW).]

**5. Potential investors.** Any record, including any financial statement or supporting data, business plan or tax return obtained or developed by the department or municipality in connection with the matching of potential investors with businesses in the State by the department or the municipality through its maintenance of a data base or other record-keeping system.  
[PL 1991, c. 368 (NEW).]

Nothing in this section prevents the disclosure of any records, correspondence or other materials to authorized officers and employees of municipal government, State Government or Federal Government for authorized use. [PL 1991, c. 368 (NEW).]

**SECTION HISTORY**

PL 1991, c. 368 (NEW).

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