

§ 55A-18-05. Exemptions.

This Article does not preclude any of the following:

- (1) Reporting or disclosure required by Article 22A of Chapter 163 of the General Statutes.
- (2) Issuing of a lawful warrant for personal information by a court of competent jurisdiction.
- (3) Request for discovery of personal information in litigation if both of the following conditions are met:
 - a. The requestor demonstrates a compelling need for the personal information by clear and convincing evidence.
 - b. The requestor obtains a protective order barring disclosure of personal information to any person not named in the litigation.
- (4) Admission of personal information as relevant evidence before a court of competent jurisdiction. However, no court shall publicly reveal personal information absent a specific finding of good cause.
- (5) Releasing personal information by a public agency that was voluntarily released to the public by the person or the nonprofit organization to which it relates.
- (6) Collection of information disclosing the identity of any director, officer, registered agent, or incorporator of a nonprofit organization in any report or disclosure required by statute to be filed with the Secretary of State. This Article does not preclude an audit, examination, review, or investigation pursuant to the authority of the Secretary of State under Chapters 10B, 55A, 78A, 78C, 78D, 120C, or 131F of the General Statutes so long as both of the following apply:
 - a. The personal information is only used in connection with the specific audit, examination, review, or investigation to which the request relates and for any related proceedings.
 - b. Any personal information collected otherwise remains subject to G.S. 55A-18-04(a)(2), unless expressly required by law to be publicly disclosed.
- (7) Disclosure of personal information derived from a donation to a nonprofit organization that is affiliated with a public agency and required by statute, if the person has not previously requested anonymity from the nonprofit organization.
- (8) Collection and reporting by a national securities association that is registered pursuant to 15 U.S.C. § 78o-3, any regulations adopted under it, or any information that the national securities association is required to provide pursuant to State law.
- (9) Requests by the Attorney General for personal information required for an audit, examination, review, or investigation pursuant to Chapters 36C, 36E, 55A, 75, and 131F of the General Statutes. Personal information provided pursuant to this exception shall only be used in connection with the specific audit, examination, review, or investigation to which the request relates and for any related proceedings. Any personal information collected shall otherwise remain subject to the provisions of G.S. 55A-18-04(a)(2), unless expressly required by law to be publicly disclosed. (2025-79, s. 1.)