

CHAMBER ACTION

1 The Finance & Tax Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Financial Literacy Council;
7 creating the council; providing purposes; providing for
8 membership; providing for meetings, procedures, records,
9 and reimbursement for travel and per diem expenses;
10 prohibiting compensation for council members; providing
11 powers and duties of the council; providing for resources
12 of the council; requiring any funds received by the
13 council to be deposited in the Insurance Regulatory Trust
14 Fund; providing for expiration of the council; authorizing
15 the council to establish a not-for-profit corporation for
16 certain purposes; providing for transfer of certain moneys
17 to the corporation; requiring annual reports to the
18 Governor and Legislature; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Financial Literacy Council.--

23 (1) CREATION.--The Financial Literacy Council is created
 24 within the Office of the Chief Financial Officer. The council
 25 shall provide information and education about financial issues
 26 to consumers and small businesses.

27 (2) PURPOSES.--The purposes of the council are to:

28 (a) Provide a single state resource for consumers and
 29 small businesses to contact for financial assistance.

30 (b) Equip small businesses, young people, working adults,
 31 and seniors with the tools and resources they need to make
 32 informed financial decisions.

33 (c) Help residents of this state learn more about personal
 34 finance issues, including, but not limited to, personal savings,
 35 applying for loans, managing debt, making sound investment
 36 choices, and saving for retirement.

37 (d) Facilitate the sharing of best practices for financial
 38 management that are characteristic of highly successful small
 39 businesses.

40 (e) Serve as an educational forum for resource planning,
 41 financial planning, and management issues for small businesses.

42 (3) COMPOSITION.--

43 (a) Members of the council shall include the Chief
 44 Financial Officer, or her or his designee, who shall serve as
 45 chair, and not more than nine other members to be appointed by
 46 the Chief Financial Officer. Six members must be persons with
 47 experience in various areas of the financial industry, such as
 48 banking, finance, insurance, real estate, and securities. At
 49 least one member must be a person who is not employed by and is
 50 not a representative of the financial industry. At least one

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51 member must be chosen from a list of three persons submitted to
52 the Chief Financial Officer by a senior advocacy group. At least
53 one member must be chosen from a list of three persons submitted
54 to the Chief Financial Officer by the Florida Council on
55 Economic Education. Appointed members shall include persons who
56 represent rural and urban interests and the ethnic and cultural
57 diversity of the state's population.

58 (b) Members of the council shall serve at the pleasure of
59 the Chief Financial Officer. The council shall meet at the call
60 of the chair. Five of the initial members appointed to the
61 council shall be appointed for terms of 3 years. All other
62 members shall be appointed for terms of 4 years. Members shall
63 serve until their successors are appointed. A vacancy shall be
64 filled for the remainder of the unexpired term.

65 (c) The Department of Financial Services shall provide
66 administrative and staff support to the council.

67 (4) MEETINGS; PROCEDURES; RECORDS; COMPENSATION.--

68 (a) The business of the council shall be presented to the
69 council in the form of an agenda. The agenda shall be set by the
70 Chief Financial Officer and shall include items of business
71 requested by the council members.

72 (b) A majority of the members shall constitute a quorum,
73 and action by a majority of a quorum shall be official.

74 (c) The council shall make a report of each meeting to the
75 Chief Financial Officer. The report shall show the names of the
76 members present and shall include a record of the council's
77 discussions, recommendations, and actions taken. The Chief
78 Financial Officer shall keep the records of the proceedings of

79 each meeting on file and shall make the records available to any
 80 interested person or group.

81 (d) Council members shall serve without compensation.

82 However, each council member shall be entitled to reimbursement
 83 for per diem and travel expenses pursuant to s. 112.061, Florida
 84 Statutes.

85 (5) POWERS AND DUTIES.--

86 (a) The council shall study financial problems that affect
 87 consumers, particularly young persons, seniors, working adults,
 88 and small businesses that arise from a lack of basic knowledge
 89 of financial issues.

90 (b) The council shall develop written materials which
 91 shall be available to educate consumers and small businesses
 92 about basic financial issues.

93 (c) The council shall establish an outreach program to
 94 help educate affected persons through public meetings or
 95 seminars or through web-based media.

96 (6) RESOURCES.--

97 (a) The council may apply for and accept funds, grants,
 98 gifts, and services from the state, the government of the United
 99 States or any of its agencies, or any other public or private
 100 source for the purpose of defraying clerical and administrative
 101 costs as may be necessary in carrying out its duties under this
 102 section. All sums received by the council shall be deposited
 103 into the Insurance Regulatory Trust Fund. The moneys so received
 104 and deposited into the trust fund are hereby appropriated for
 105 use by the council in carrying out its duties as prescribed by
 106 this section and to the department to defray the expenses

107 incurred in the discharge of its administrative duties as
 108 prescribed by this section.

109 (b) The council shall seek out and wherever possible use
 110 the talents, expertise, and resources within the state, and
 111 especially those of the public school, community college, and
 112 state university systems, in furtherance of its mission.

113 (c) The council may procure information and assistance
 114 from any state agency, political subdivision, municipal
 115 corporation, or public officer.

116 (d) The council may coordinate with any state agency, any
 117 political subdivision, or any school district of the state in
 118 the furtherance of its mission.

119 (7) EXPIRATION.--The council shall cease to exist on
 120 December 31, 2010. Prior to that date, the council may establish
 121 a not-for-profit corporation to carry on its duties. If such a
 122 not-for-profit corporation is established, any moneys remaining
 123 in the Insurance Regulatory Trust Fund which were deposited into
 124 the fund by the council shall be transferred to the not-for-
 125 profit corporation.

126 (8) REPORTS.--Beginning January 1, 2007, the council shall
 127 report annually on January 1 to the Governor, the Speaker of the
 128 House of Representatives, and the President of the Senate on the
 129 activities carried out under the provisions of this section.

130 Section 2. This act shall take effect July 1, 2005.