

CHAMBER ACTION

1 The Commerce Council 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 Administrative Trust Fund;
14 providing for expiration of the council; authorizing the
15 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 a contingent
19 appropriation; providing construction; providing a
20 limitation on expenditures of certain grant funds;
21 providing an effective date.

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23 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Financial Literacy Council.--

(1) CREATION.--The Financial Literacy Council is created within the Department of Financial Services. The council shall provide information and education about financial issues to consumers and small businesses.

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

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

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

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

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

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

(3) COMPOSITION.--

(a) Members of the council shall include the Chief Financial Officer, or her or his designee, who shall serve as chair, and not more than nine other members to be appointed by the Chief Financial Officer. Six members must be persons with experience in various areas of the financial industry, such as banking, finance, insurance, real estate, and securities. At

52 least one member must be a person who is not employed by and is
 53 not a representative of the financial industry. At least one
 54 member must be chosen from a list of three persons submitted to
 55 the Chief Financial Officer by a senior advocacy group. At least
 56 one member must be chosen from a list of three persons submitted
 57 to the Chief Financial Officer by the Florida Council on
 58 Economic Education. Appointed members shall include persons who
 59 represent rural and urban interests and the ethnic and cultural
 60 diversity of the state's population.

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

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

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

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

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

77 (c) The council shall make a report of each meeting to the
 78 Chief Financial Officer. The report shall show the names of the
 79 members present and shall include a record of the council's

80 discussions, recommendations, and actions taken. The Chief
 81 Financial Officer shall keep the records of the proceedings of
 82 each meeting on file and shall make the records available to any
 83 interested person or group.

84 (d) Council members shall serve without compensation.
 85 However, each council member shall be entitled to reimbursement
 86 for per diem and travel expenses pursuant to s. 112.061, Florida
 87 Statutes.

88 (5) POWERS AND DUTIES.--

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

93 (b) The council shall develop written materials which
 94 shall be available to educate consumers and small businesses
 95 about basic financial issues.

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

99 (6) RESOURCES.--

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

108 the council in carrying out its duties as prescribed by this
 109 section and to the department to defray the expenses incurred in
 110 the discharge of its administrative duties as prescribed by this
 111 section.

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

116 (c) The council may procure information and assistance
 117 from any state agency, political subdivision, municipal
 118 corporation, or public officer.

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

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

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

133 Section 2. For fiscal year 2005-2006, there is hereby
 134 appropriated the sum of \$50,000 in nonrecurring funds from the
 135 Administrative Trust Fund in the specific appropriation category

HB 431 CS

2005
CS

136 "Financial Literary Council" to the Financial Literary Council
137 created by this act. The appropriation is contingent upon
138 receipt of grant funds or private contributions by the council
139 for the purposes of this act. Nothing in this section shall be
140 construed as entitling the Financial Literacy Council to expend
141 funds from the Administrative Trust Fund in an amount greater
142 than the amount of grant funds or private contributions received
143 by the council and deposited into the Administrative Trust Fund
144 pursuant to this act.

145 Section 3. This act shall take effect July 1, 2005.