

1 A bill to be entitled
 2 An act relating to the Financial Literacy Council;
 3 creating the council; providing purposes; providing for
 4 membership; providing for meetings, procedures, records,
 5 and reimbursement for travel and per diem expenses;
 6 prohibiting compensation for council members; providing
 7 powers and duties of the council; providing for resources
 8 of the council; requiring any funds received by the
 9 council to be deposited in the Administrative Trust Fund;
 10 providing for expiration of the council; authorizing the
 11 council to establish a not-for-profit corporation for
 12 certain purposes; providing for transfer of certain moneys
 13 to the corporation; requiring annual reports to the
 14 Governor and Legislature; providing a contingent
 15 appropriation; providing construction; providing a
 16 limitation on expenditures of certain grant funds;
 17 providing an effective date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

20
 21 Section 1. Financial Literacy Council.--

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

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

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

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

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

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

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

41 (3) COMPOSITION.--

42 (a) Members of the council shall include the Chief
 43 Financial Officer, or her or his designee, who shall serve as
 44 chair, and not more than nine other members to be appointed by
 45 the Chief Financial Officer. Six members must be persons with
 46 experience in various areas of the financial industry, such as
 47 banking, finance, insurance, real estate, and securities. At
 48 least one member must be a person who is not employed by and is
 49 not a representative of the financial industry. At least one
 50 member must be chosen from a list of three persons submitted to
 51 the Chief Financial Officer by a senior advocacy group. At least
 52 one member must be chosen from a list of three persons submitted
 53 to the Chief Financial Officer by the Florida Council on
 54 Economic Education. Appointed members shall include persons who
 55 represent rural and urban interests and the ethnic and cultural
 56 diversity of the state's population.

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

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

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

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

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

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

80 (d) Council members shall serve without compensation.
81 However, each council member shall be entitled to reimbursement
82 for per diem and travel expenses pursuant to s. 112.061, Florida
83 Statutes.

84 (5) POWERS AND DUTIES.--

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

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

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

95 (6) RESOURCES.--

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

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

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

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

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

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

129 Section 2. For fiscal year 2005-2006, there is hereby
 130 appropriated the sum of \$50,000 in nonrecurring funds from the
 131 Administrative Trust Fund in the specific appropriation category
 132 "Financial Literacy Council" to the Financial Literacy Council
 133 created by this act. The appropriation is contingent upon
 134 receipt of grant funds or private contributions by the council
 135 for the purposes of this act. Nothing in this section shall be
 136 construed as entitling the Financial Literacy Council to expend
 137 funds from the Administrative Trust Fund in an amount greater
 138 than the amount of grant funds or private contributions received

HB 431, Engrossed 1

2005

139 by the council and deposited into the Administrative Trust Fund
140 pursuant to this act.

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