

Bill No. SB 1368

Barcode 820204

CHAMBER ACTION

Senate

House

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The Committee on Banking and Insurance (Atwater) recommended the following amendment:

**Senate Amendment**

Delete everything after the enacting clause

and insert:

Section 1. Financial Literacy Council.--

(1) CREATION.--A council, as defined in s. 20.03, Florida Statutes, named the Financial Literacy Council, is created as an adjunct to the Department of Financial Services. The council shall be subject to the provisions of s. 20.052, Florida Statutes.

(2) PURPOSE.--The purpose of the council is to study financial problems that affect consumers, particularly young persons, seniors, and working adults, and small businesses which arise from a lack of basic knowledge of financial issues and to provide recommendations to the Department of Financial Services which will assist the department in developing financial literacy programs and resources and providing a single state resource for financial literacy for the general

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1 public in order to empower individuals and businesses to  
2 manage their financial matters in order to reduce debt,  
3 increase savings, and avoid bankruptcy. All recommendations  
4 are subject to approval by the Chief Financial Officer.

5 (3) COMPOSITION.--

6 (a) The council shall consist of nine members who  
7 shall be appointed by and serve at the pleasure of the Chief  
8 Financial Officer. Six members must be persons having  
9 experience in various areas of the financial industry, such as  
10 financial institutions, as defined in s. 655.005, Florida  
11 Statutes, finance, insurance, real estate, and securities. At  
12 least one member must be a person who is not employed by and  
13 is not a representative of the financial industry. At least  
14 one member must be chosen from a list of three persons  
15 submitted to the Chief Financial Officer by a senior advocacy  
16 group. At least one member must be chosen from a list of three  
17 persons submitted to the Chief Financial Officer by the  
18 Florida Council on Economic Education. Appointed members shall  
19 include persons who represent rural and urban interests and  
20 the ethnic and cultural diversity of the state's population.

21 (b) Members of the council shall serve at the pleasure  
22 of the Chief Financial Officer. The council shall meet at the  
23 call of the chair. Five of the initial members appointed to  
24 the council shall be appointed for terms of 3 years. All other  
25 members shall be appointed for terms of 4 years. Members shall  
26 serve until their successors are appointed. A vacancy shall be  
27 filled for the remainder of the unexpired term.

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

30 (4) MEETINGS; PROCEDURES; RECORDS.--

31 (a) The business of the council shall be presented to

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1 the council in the form of an agenda. The agenda shall be set  
2 by the Chief Financial Officer and shall include items of  
3 business requested by the council members.

4 (b) A majority of the members constitutes a quorum,  
5 and action by a majority of a quorum shall be official.

6 (c) The minutes for each meeting shall be submitted to  
7 the Chief Financial Officer within 14 days after the date of  
8 each meeting.

9 (5) POWERS AND DUTIES.--The council shall:

10 (a) Study financial problems that affect consumers,  
11 particularly young persons, seniors, and working adults, and  
12 small businesses which arise from a lack of basic knowledge of  
13 financial issues.

14 (b) Study and make recommendations to the department  
15 regarding the creation of a single state resource for  
16 consumers and small businesses to contact for financial  
17 assistance.

18 (c) Study and make recommendations as to how the  
19 department may help equip small businesses, young people,  
20 working adults, and seniors with the tools and resources they  
21 need to make informed financial decisions.

22 (d) Study and make recommendations as to how the  
23 department may help residents of this state learn more about  
24 personal finance issues, including, but not limited to,  
25 personal savings, applying for loans, managing debt, making  
26 sound investment choices, and saving for retirement.

27 (e) Study and make recommendations to the department  
28 regarding the development of best practices for financial  
29 management which are characteristic of highly successful small  
30 businesses.

31 (f) Study and make recommendations as to how the

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1 department can serve as an educational forum for resource  
2 planning, financial planning, and management issues for small  
3 businesses.

4 (g) Assist the department in developing written  
5 materials that shall be available to educate consumers and  
6 small businesses about basic financial issues.

7 (h) Study and make recommendations to the department  
8 regarding the establishment of an outreach program to help  
9 educate affected persons through public meetings or seminars  
10 or through web-based media.

11 (6) RESOURCES.--

12 (a) The council may apply for and accept funds,  
13 grants, gifts, and services from the state, the government of  
14 the United States or any of its agencies, or any other public  
15 or private source for the purpose of defraying clerical and  
16 administrative costs as necessary to carry out its duties  
17 under this section. All sums received by the council shall be  
18 deposited into the Department of Financial Services  
19 Administrative Trust Fund. The moneys received and deposited  
20 into the trust fund are appropriated for use by the council in  
21 carrying out its duties as prescribed by this section.

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

26 (c) The council may procure information and assistance  
27 from any state agency, political subdivision, municipal  
28 corporation, or public officer.

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

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1       (7) EXPIRATION.--The council shall cease to exist on  
 2 December 31, 2011. Upon expiration, any funds remaining in the  
 3 Financial Literacy Council account of the Department of  
 4 Financial Services Administrative Trust Fund shall be  
 5 appropriated to the department to fund the activities that the  
 6 department has implemented pursuant to the recommendations of  
 7 the council.

8       (8) REPORTS.--Beginning January 1, 2008, the council  
 9 shall report annually on January 1 to the Governor, the  
 10 President of the Senate, and the Speaker of the House of  
 11 Representatives on the activities carried out under this  
 12 section, including expenditures and funding.

13       Section 2. For the 2006-2007 fiscal year, the sum of  
 14 \$50,000 in nonrecurring funds is appropriated from the  
 15 Department of Financial Services Administrative Trust Fund in  
 16 the specific appropriation category "Financial Literacy  
 17 Council" to the Financial Literacy Council created by this  
 18 act. The appropriation is contingent upon prior receipt of  
 19 grant funds or private contributions by the council for the  
 20 purposes of this act. This section does not entitle the  
 21 Financial Literacy Council to expend funds from the  
 22 Administrative Trust Fund in an amount greater than the amount  
 23 of grant funds or private contributions received by the  
 24 council and deposited into the Administrative Trust Fund  
 25 pursuant to this act.

26       Section 3. This act shall take effect July 1, 2006.

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29 ===== T I T L E   A M E N D M E N T =====

30 And the title is amended as follows:

31       Delete everything before the enacting clause

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1 and insert:

2                                   A bill to be entitled  
3           An act relating to the Financial Literacy  
4           Council; creating the council; providing  
5           purposes; providing for membership; providing  
6           for meetings, procedures, and records;  
7           providing powers and duties of the council;  
8           providing for resources of the council;  
9           requiring that any funds received by the  
10          council be deposited in the Administrative  
11          Trust Fund; providing for expiration of the  
12          council; requiring annual reports to the  
13          Governor and Legislature; providing a  
14          contingent appropriation; providing for  
15          construction; providing a limitation on  
16          expenditures of certain grant funds; providing  
17          an effective date.

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