

By Senators Baker and Gaetz

20-02396-08

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1 A bill to be entitled

2 An act relating to the marketing of credit cards to
3 students of postsecondary educational institutions;
4 providing definitions; requiring that a university,
5 community college, or related direct-support organization
6 obtain an undergraduate student's written consent before
7 providing contact information for that student to an
8 issuer of credit cards; prohibiting a university,
9 community college, or related direct-support organization
10 from entering into an agreement with a issuer of credit
11 cards to facilitate the marketing of credit cards to
12 undergraduate students; providing for the continuation of
13 existing agreements; providing for enforcement by the
14 Attorney General under the Florida Deceptive and Unfair
15 Trade Practices Act; providing an effective date.

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

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19 Section 1. Restrictions on marketing credit cards to
20 students of postsecondary educational institutions.--

21 (1) As used in this section, the term:

22 (a) "Card issuer" has the same meaning as in the federal
23 Truth in Lending Act, 15 U.S.C. ss. 1601 et seq., as amended.

24 (b) "Credit card" has the same meaning as in the federal
25 Truth in Lending Act, 15 U.S.C. ss. 1601 et seq., as amended.

26 (c) "Direct-support organization" means a university
27 direct-support organization or a community college direct-support
28 organization created or operating under s. 1004.28, s. 1004.70,
29 or s. 1004.71, Florida Statutes.

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30 (2) Notwithstanding s. 1002.22(3)(d), Florida Statutes, a
31 state university, community college, private college or
32 university, or direct-support organization may not directly or
33 through an affiliate:

34 (a) Sell, give, or otherwise transfer to a card issuer the
35 name, address, telephone number, or other contact information of
36 an undergraduate student of a state university, community
37 college, or private college or university without the student's
38 express written consent; or

39 (b) Enter into an agreement with a card issuer to offer or
40 otherwise facilitate the marketing of credit cards to
41 undergraduate students at a state university, community college,
42 or private college or university. If an agreement to offer or
43 otherwise facilitate the marketing of credit cards is in effect
44 on July 1, 2008, this paragraph applies upon the expiration of
45 the agreement.

46 (3) A violation of this section is a deceptive and unfair
47 trade practice and constitutes a violation of the Florida
48 Deceptive and Unfair Trade Practices Act under part II of chapter
49 501, Florida Statutes.

50 Section 2. This act shall take effect July 1, 2008.