

By Senator Baker

20-00352-09

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

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.

26 (c) "Direct-support organization" means a university
27 direct-support organization or a community college direct-
28 support organization created or operating under s. 1004.28, s.
29 1004.70, 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 transfer to a card issuer the name,
35 address, telephone number, or other contact information of an
36 undergraduate student at a state university, community college,
37 or private college or university without the student's express
38 written consent; or

39 (b) Enter into an agreement with a card issuer to offer or
40 facilitate the marketing of credit cards to undergraduate
41 students at a state university, community college, or private
42 college or university. If such an agreement to offer or
43 facilitate the marketing of credit cards is in effect on July 1,
44 2009, this paragraph applies upon the expiration of the
45 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
49 chapter 501, Florida Statutes.

50 Section 2. This act shall take effect July 1, 2009.