

SENATE BILL 476

P1

2lr1789
CF 2lr0727

By: **Senators Klausmeier, Colburn, Forehand, Madaleno, Montgomery,
Raskin, Rosapepe, Stone, and Young**

Introduced and read first time: February 2, 2012

Assigned to: Education, Health, and Environmental Affairs and Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Financial Education and Capability Commission**

3 FOR the purpose of establishing the Financial Education and Capability Commission;
4 providing for the composition, co–chairs, and staffing of the Commission;
5 prohibiting a member of the Commission from receiving certain compensation,
6 but authorizing the reimbursement of certain expenses; requiring the
7 Commission to meet at least a certain number of times each year; requiring the
8 Commission to monitor the implementation of public and private initiatives to
9 improve the financial education and capability of residents of the State and to
10 make recommendations regarding certain matters; requiring the Commission to
11 make certain reports to the Governor and the General Assembly on or before a
12 certain date each year; defining a certain term; specifying the terms of the
13 initial appointed members of the Commission; and generally relating to the
14 Financial Education and Capability Commission.

15 BY adding to

16 Article – State Government

17 Section 9–801 through 9–804 to be under the new subtitle “Subtitle 8. Financial
18 Education and Capability Commission”

19 Annotated Code of Maryland

20 (2009 Replacement Volume and 2011 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – State Government**

24 **SUBTITLE 8. FINANCIAL EDUCATION AND CAPABILITY COMMISSION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **9-801.**

2 **IN THIS SUBTITLE, "COMMISSION" MEANS THE FINANCIAL EDUCATION**
3 **AND CAPABILITY COMMISSION.**

4 **9-802.**

5 **THERE IS A FINANCIAL EDUCATION AND CAPABILITY COMMISSION.**

6 **9-803.**

7 **(A) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:**

8 **(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED**
9 **BY THE PRESIDENT OF THE SENATE;**

10 **(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED**
11 **BY THE SPEAKER OF THE HOUSE;**

12 **(3) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**
13 **SUPERINTENDENT'S DESIGNEE;**

14 **(4) THE SECRETARY OF HOUSING AND COMMUNITY**
15 **DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;**

16 **(5) THE COMMISSIONER OF FINANCIAL REGULATION IN THE**
17 **DEPARTMENT OF LABOR, LICENSING, AND REGULATION, OR THE**
18 **COMMISSIONER'S DESIGNEE;**

19 **(6) THE EXECUTIVE DIRECTOR OF THE FAMILY INVESTMENT**
20 **ADMINISTRATION IN THE DEPARTMENT OF HUMAN RESOURCES, OR THE**
21 **EXECUTIVE DIRECTOR'S DESIGNEE;**

22 **(7) THE CHIEF OF THE CONSUMER PROTECTION DIVISION OF**
23 **THE OFFICE OF THE ATTORNEY GENERAL, OR THE CHIEF'S DESIGNEE;**

24 **(8) THE STATE TREASURER, OR THE STATE TREASURER'S**
25 **DESIGNEE;**

26 **(9) THE COMPTROLLER, OR THE COMPTROLLER'S DESIGNEE;**
27 **AND**

28 **(10) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:**

1 (I) ONE MEMBER OF THE BOARD OF TRUSTEES OF THE
2 MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT
3 PLANS;

4 (II) ONE MEMBER OF THE COLLEGE SAVINGS PLANS OF
5 MARYLAND BOARD;

6 (III) ONE MEMBER OF THE MARYLAND HIGHER EDUCATION
7 COMMISSION;

8 (IV) ONE MEMBER OF THE MARYLAND STATE EDUCATION
9 ASSOCIATION WHO TEACHES A COURSE INVOLVING PRINCIPLES OF FINANCIAL
10 EDUCATION;

11 (V) ONE REPRESENTATIVE OF THE MARYLAND CASH
12 CAMPAIGN;

13 (VI) ONE REPRESENTATIVE OF A COMMUNITY-FOCUSED
14 NONPROFIT ORGANIZATION THAT PROVIDES FREE FINANCIAL EDUCATION IN
15 THE STATE;

16 (VII) ONE REPRESENTATIVE OF A PHILANTHROPIC
17 ORGANIZATION THAT PROVIDES FUNDING FOR FINANCIAL EDUCATION IN THE
18 STATE;

19 (VIII) ONE REPRESENTATIVE OF THE MARYLAND COUNCIL ON
20 ECONOMIC EDUCATION OR THE MARYLAND COALITION FOR FINANCIAL
21 LITERACY;

22 (IX) ONE REPRESENTATIVE OF A BANK, WHETHER OR NOT
23 STATE-CHARTERED, THAT HAS A BRANCH IN THE STATE;

24 (X) ONE REPRESENTATIVE OF A CREDIT UNION, WHETHER
25 OR NOT STATE-CHARTERED, THAT HAS A BRANCH IN THE STATE;

26 (XI) ONE LICENSED MORTGAGE BROKER HOLDING THE
27 MARYLAND ASSOCIATION OF MORTGAGE BROKERS' "LENDING SEAL OF
28 INTEGRITY"; AND

29 (XII) ONE MEMBER OF THE MARYLAND ASSOCIATION OF
30 CPAs.

1 **(B) (1) THE TERM OF AN APPOINTED MEMBER OF THE COMMISSION**
2 **IS 4 YEARS.**

3 **(2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED**
4 **AS REQUIRED BY THE TERMS PROVIDED FOR APPOINTED MEMBERS OF THE**
5 **COMMISSION ON OCTOBER 1, 2012.**

6 **(3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES**
7 **TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

8 **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**
9 **SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS**
10 **APPOINTED AND QUALIFIES.**

11 **(C) (1) THE PRESIDENT OF THE SENATE SHALL DESIGNATE ONE OF**
12 **THE MEMBERS APPOINTED FROM THE SENATE AS CO-CHAIR OF THE**
13 **COMMISSION.**

14 **(2) THE SPEAKER OF THE HOUSE OF DELEGATES SHALL**
15 **DESIGNATE ONE OF THE MEMBERS APPOINTED FROM THE HOUSE AS CO-CHAIR**
16 **OF THE COMMISSION.**

17 **(D) THE DEPARTMENT OF LEGISLATIVE SERVICES AND THE**
18 **DEPARTMENT OF LABOR, LICENSING, AND REGULATION JOINTLY SHALL**
19 **PROVIDE STAFF FOR THE COMMISSION.**

20 **(E) A MEMBER OF THE COMMISSION:**

21 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
22 **COMMISSION; BUT**

23 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
24 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
25 **BUDGET.**

26 **(F) THE COMMISSION SHALL MEET AT LEAST TWO TIMES EACH YEAR AT**
27 **THE TIMES AND PLACES DETERMINED BY THE COMMISSION.**

28 **9-804.**

29 **(A) THE COMMISSION SHALL:**

1 **(1) MONITOR THE IMPLEMENTATION OF PUBLIC AND PRIVATE**
2 **INITIATIVES TO IMPROVE THE FINANCIAL EDUCATION AND CAPABILITY OF**
3 **RESIDENTS OF THE STATE; AND**

4 **(2) MAKE RECOMMENDATIONS ON THE COORDINATION OF**
5 **FINANCIAL EDUCATION AND CAPABILITY EFFORTS ACROSS STATE AGENCIES.**

6 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR**
7 **BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE**
8 **GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE**
9 **GENERAL ASSEMBLY ON ITS RECOMMENDATIONS AND THE STATUS OF EFFORTS**
10 **UNDERTAKEN BY STATE AGENCIES OR IN PARTNERSHIP WITH STATE AGENCIES**
11 **TO IMPROVE THE FINANCIAL EDUCATION AND CAPABILITY OF RESIDENTS OF**
12 **THE STATE.**

13 **(2) EVERY 3 YEARS, THE REPORT OF THE COMMISSION**
14 **REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A**
15 **COMPREHENSIVE DISCUSSION OF STATEWIDE EFFORTS TO IMPROVE THE**
16 **FINANCIAL EDUCATION AND CAPABILITY OF RESIDENTS OF THE STATE,**
17 **INCLUDING INITIATIVES FUNDED BY THE STATE OR A LOCAL GOVERNMENT AND**
18 **THOSE UNDERTAKEN IN THE PRIVATE SECTOR BY NONPROFIT ORGANIZATIONS,**
19 **FINANCIAL INSTITUTIONS, AND OTHER PERSONS.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
21 appointed members of the Financial Education and Capability Commission shall
22 expire as follows:

23 (1) three members in 2013;

24 (2) three members in 2014;

25 (3) three members in 2015; and

26 (4) three members in 2016.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2012.