

S T A T E O F N E W Y O R K

10339

I N A S S E M B L Y

May 23, 2016

Introduced by M. of A. ROBINSON -- read once and referred to the Committee on Banks

AN ACT to amend the financial services law, in relation to establishing the state financial literacy commission

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The financial services law is amended by adding a new article 7 to read as follows:

ARTICLE 7

STATE FINANCIAL LITERACY COMMISSION

SECTION 701. DEFINITIONS.

702. STATE FINANCIAL LITERACY COMMISSION.

703. POWERS AND DUTIES.

S 701. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. "FINANCIAL CAPABILITY" MEANS: (A) FINANCIAL LITERACY AND ACCESS TO APPROPRIATE FINANCIAL PRODUCTS; AND

(B)(I) THE ABILITY TO ACT, INCLUDING KNOWLEDGE, SKILLS, CONFIDENCE, AND MOTIVATION; AND

(II) THE OPPORTUNITY TO ACT, THROUGH ACCESS TO BENEFICIAL FINANCIAL PRODUCTS AND INSTITUTIONS.

2. "FINANCIAL LITERACY" MEANS THE ABILITY TO USE KNOWLEDGE AND SKILLS TO MANAGE FINANCIAL RESOURCES EFFECTIVELY FOR A LIFETIME OF FINANCIAL WELL-BEING.

S 702. STATE FINANCIAL LITERACY COMMISSION. 1. THERE IS CREATED A STATE FINANCIAL LITERACY COMMISSION TO MEASURABLY IMPROVE THE FINANCIAL LITERACY AND FINANCIAL CAPABILITY OF NEW YORK STATE RESIDENTS.

2. THE COMMISSION SHALL BE COMPOSED OF THE FOLLOWING MEMBERS:

(A) THE STATE COMPTROLLER OR DESIGNEE;

(B) THE COMMISSIONER OF EDUCATION OR DESIGNEE;

(C) ONE REPRESENTATIVE OF THE EXECUTIVE BRANCH, APPOINTED BY THE GOVERNOR, WHO IS AN EMPLOYEE OF AN AGENCY OR DEPARTMENT THAT CONDUCTS FINANCIAL LITERACY EDUCATION OUTREACH EFFORTS IN NEW YORK STATE, INCLUDING THE OFFICE OF CHILDREN AND FAMILY SERVICES, DEPARTMENT OF FINANCIAL

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 SERVICES, OR THE DEPARTMENT OF LABOR, BUT NOT INCLUDING THE DEPARTMENT
2 OF EDUCATION;

3 (D) A MEMBER OF THE ASSEMBLY APPOINTED BY THE SPEAKER OF THE ASSEMBLY
4 AND A MEMBER OF THE SENATE APPOINTED BY THE TEMPORARY PRESIDENT OF THE
5 SENATE;

6 (E) A KINDERGARTEN THROUGH TWELFTH GRADE PUBLIC SCHOOL FINANCIAL
7 LITERACY EDUCATOR APPOINTED BY NEW YORK STATE UNITED TEACHERS;

8 (F) ONE REPRESENTATIVE OF KINDERGARTEN THROUGH TWELFTH GRADE PUBLIC
9 SCHOOL ADMINISTRATION, CURRENTLY SERVING AS A SCHOOL BOARD MEMBER,
10 SUPERINTENDENT, OR PRINCIPAL, APPOINTED BY THE GOVERNOR BASED ON NOMI-
11 NEES SUBMITTED BY THE NEW YORK STATE SCHOOL BOARDS ASSOCIATION, THE NEW
12 YORK STATE COUNCIL OF SCHOOL SUPERINTENDENTS, AND THE SCHOOL ADMINISTRA-
13 TORS ASSOCIATION OF NEW YORK STATE;

14 (G) THREE REPRESENTATIVES FOCUSED ON COLLEGIATE FINANCIAL LITERACY
15 ISSUES:

16 (I) THE CHAIRMAN OF THE NEW YORK STATE HIGHER EDUCATION SERVICES
17 CORPORATION OR DESIGNEE;

18 (II) ONE REPRESENTATIVE APPOINTED BY THE GOVERNOR FROM THE STATE
19 UNIVERSITY OF NEW YORK; AND

20 (III) ONE REPRESENTATIVE APPOINTED BY THE GOVERNOR FROM AN INDEPENDENT
21 COLLEGE IN NEW YORK;

22 (H) TWO REPRESENTATIVES FROM NONPROFIT ENTITIES ENGAGED IN PROVIDING
23 FINANCIAL LITERACY EDUCATION TO NEW YORK ADULTS APPOINTED BY THE GOVER-
24 NOR; AND

25 (I) TWO REPRESENTATIVES FROM NEW YORK STATE'S FINANCIAL SERVICES BUSI-
26 NESS COMMUNITY THAT ACTIVELY PROMOTE FINANCIAL LITERACY EDUCATION TO NEW
27 YORK STATE ADULTS, APPOINTED BY THE GOVERNOR.

28 3. THE STATE COMPTROLLER OR DESIGNEE AND ANOTHER MEMBER OF THE COMMIS-
29 SION, APPOINTED BY THE GOVERNOR, WHO IS NOT AN EMPLOYEE OF THE STATE OF
30 NEW YORK, SHALL SERVE AS CO-CHAIRS OF THE COMMISSION.

31 4. (A) EACH MEMBER SHALL SERVE FOR A THREE-YEAR TERM, PROVIDED THAT
32 THE STATE COMPTROLLER SHALL HAVE THE AUTHORITY TO DESIGNATE WHETHER AN
33 INITIAL TERM FOR EACH APPOINTEE SHALL BE FOR A ONE, TWO, OR THREE-YEAR
34 INITIAL TERM IN ORDER TO ENSURE THAT NO MORE THAN ONE-THIRD OF THE TERMS
35 EXPIRE IN ANY GIVEN YEAR.

36 (B) A VACANCY SHALL BE FILLED BY THE APPOINTING AUTHORITY AS PROVIDED
37 IN SUBDIVISION TWO OF THIS SECTION FOR THE REMAINDER OF THE TERM.

38 5. THE COMMISSION MAY REQUEST FROM ANY BRANCH, DIVISION, DEPARTMENT,
39 BOARD, COMMISSION, OR OTHER AGENCY OF THE STATE OR ANY ENTITY THAT
40 RECEIVES STATE FUNDS, SUCH INFORMATION AS WILL ENABLE THE COMMISSION TO
41 PERFORM ITS DUTIES AS REQUIRED IN THIS ARTICLE.

42 S 703. POWERS AND DUTIES. THE COMMISSION ESTABLISHED BY SECTION SEVEN
43 HUNDRED TWO OF THIS ARTICLE SHALL HAVE THE FOLLOWING POWERS AND DUTIES
44 NECESSARY AND APPROPRIATE TO ACHIEVE THE PURPOSES OF THIS CHAPTER:

45 1. COLLABORATE WITH RELEVANT STATE AGENCIES AND DEPARTMENTS, PRIVATE
46 ENTERPRISE, AND NONPROFIT ORGANIZATIONS;

47 2. INCENTIVIZE NEW YORK STATE'S KINDERGARTEN THROUGH TWELFTH GRADE
48 EDUCATIONAL SYSTEM, BUSINESSES, COMMUNITY ORGANIZATIONS, AND GOVERN-
49 MENTAL AGENCIES TO IMPLEMENT FINANCIAL LITERACY AND CAPABILITY PROGRAMS;

50 3. ADVISE THE GOVERNOR, AGENCIES AND DEPARTMENTS, AND THE LEGISLATURE
51 ON THE CURRENT STATUS OF NEW YORK STATE RESIDENTS' FINANCIAL LITERACY
52 AND CAPABILITY;

53 4. CREATE AND MAINTAIN A CURRENT INVENTORY OF ALL FINANCIAL LITERACY
54 AND CAPABILITY INITIATIVES AVAILABLE IN THE STATE, AND IN PARTICULAR
55 IDENTIFY TRUSTED OPTIONS THAT WILL BENEFIT NEW YORK STATE RESIDENTS;

1 5. IDENTIFY WAYS TO EQUIP NEW YORK STATE RESIDENTS WITH THE TRAINING,
2 INFORMATION, SKILLS, AND TOOLS THEY NEED TO MAKE SOUND FINANCIAL DECISIONS
3 THROUGHOUT THEIR LIVES AND WAYS TO HELP INDIVIDUALS WITH LOW
4 INCOME GET ACCESS TO NEEDED FINANCIAL PRODUCTS AND SERVICES;
5 6. IDENTIFY WAYS TO HELP NEW YORK STATE RESIDENTS WITH LOW INCOME SAVE
6 AND BUILD ASSETS;
7 7. IDENTIFY WAYS TO HELP INCREASE THE PERCENTAGE OF NEW YORK STATE
8 EMPLOYEES SAVING FOR RETIREMENT;
9 8. RECOMMEND ACTIONS THAT CAN BE TAKEN BY THE PUBLIC AND PRIVATE
10 SECTOR TO ACHIEVE THE GOAL OF INCREASING THE FINANCIAL LITERACY AND
11 CAPABILITY OF ALL NEW YORK STATE RESIDENTS;
12 9. PROMOTE AND RAISE THE AWARENESS IN THE STATE ABOUT THE IMPORTANCE
13 OF FINANCIAL LITERACY AND CAPABILITY;
14 10. IDENTIFY KEY INDICATORS TO BE TRACKED REGARDING FINANCIAL LITERACY
15 AND CAPABILITY IN NEW YORK STATE;
16 11. ANALYZE DATA TO MONITOR THE PROGRESS IN ACHIEVING AN INCREASE IN
17 THE FINANCIAL LITERACY AND CAPABILITY OF NEW YORK STATE RESIDENTS;
18 12. PURSUE AND ACCEPT FUNDING FROM DIVERSE SOURCES OUTSIDE STATE
19 GOVERNMENT TO LAUNCH, SUSTAIN, EXPAND, AND ENHANCE FINANCIAL LITERACY
20 AND CAPABILITY EFFORTS IN THE STATE;
21 13. DISBURSE FUNDS RAISED THROUGH FUND DEVELOPMENT ACTIVITIES IN
22 ACCORDANCE WITH THE PRIORITIES SET FORTH BY THIS SECTION AND BY THE
23 COMMISSION;
24 14. CONSIDER AND IMPLEMENT RESEARCH AND POLICY INITIATIVES THAT
25 PROVIDE EFFECTIVE AND MEANINGFUL RESULTS; AND
26 15. ISSUE A REPORT ON THE COMMISSION'S PROGRESS AND RECOMMENDATIONS
27 FOR INCREASING THE FINANCIAL LITERACY AND CAPABILITY OF NEW YORK STATE
28 RESIDENTS TO THE GOVERNOR AND THE LEGISLATIVE COMMITTEES OF JURISDICTION
29 DURING THE FIRST MONTH OF EACH LEGISLATIVE SESSION.
30 S 2. This act shall take effect immediately.