

Rules of the Arkansas Financial Education Commission

1. Authority

- (a) The Arkansas Financial Education Commission (“commission”) was established by the Arkansas Financial Education Commission Act, Ark Code Ann 6-1-701 et. seq. The governance of the commission shall fall under the Treasurer of State and his/her designees.

2. Purpose

- (a) These rules are prepared for the purpose of establishing the commission as a whole and for maintaining the commission. The commission’s purpose is to provide financial education programs to Arkansans in all geographic areas and socioeconomic backgrounds of the state and to promote the importance of achieving financial well-being.

3. Location

- (a) The commission shall be housed under the authority of the Treasurer of State and shall conduct its meetings at their office. All matters related to the commission should be directed to the director of the commission or to the Treasurer of State or his/her designee at this office, located at 1401 West Capitol Ave. Suite 275, Little Rock AR, 72201.

4. Board of Directors

- (a) The commission shall be administered by a board of directors. The board consists of nine members. Members comprise of:
- (1) The Treasurer of State or his/her designee, and who shall serve as the chair;
 - (2) The Commissioner of Elementary and Secondary Education or his/her designee;
 - (3) The Securities Commissioner or his/her designee;
 - (4) The Bank Commissioner or his/her designee;
 - (5) One member who is designated by the Arkansas Bankers Association;
 - (6) One member who is a member of a federally chartered credit union doing business in this state, appointed by the Treasurer of State;
 - (7) Three members who have various financial backgrounds, one member of the three to be female and one member of the three to be a racial minority, appointed by the Treasurer of State;
- (b) Members representing the Arkansas Bankers Association, the federally chartered credit union, and those from financial backgrounds shall serve two-year terms, which shall be staggered.
- (c) Vacancies shall be filled by appointment by the Treasurer of State for the unexpired term.
- (d) New members shall be appointed every two years and may be reappointed.

(e) Other leadership positions shall be selected by majority vote:

- (1) One member to serve as vice chair;
- (2) One member to serve as secretary; and
- (3) One member to serve as treasurer.

5. Meetings

(a) The chair shall call the first meeting of the board.

- (1) A majority of the membership shall constitute a quorum.
- (2) A majority vote of those members present shall be required for any action of the board.
- (3) The board shall meet at least two times a year, once in the spring and once in the fall, at the call of the chair.
- (4) All meetings shall be recorded and made available to the public in accordance with the Arkansas Freedom of Information Act.

6. Nonprofit Status and Contracts

(a) The board may incorporate the commission as a nonprofit corporation under the Arkansas Nonprofit Corporation Act of 1993 and have all rights and powers of a nonprofit corporation under federal and state law.

(b) The board may request information from any state agency or political subdivision of the state that receives state funds to enable the commission to perform its duties.

(c) The board may enter into mutual agreements with any state agency, local government, subdivision of the state or local government, or any for-profit or nonprofit entity to:

- (1) Allow the commission to use any facility within the control or jurisdiction of the entity; or
- (2) Render any services by an entity to the commission or by the commission to the entity if the services are for or in connection with the commission's activities.

(d) The board has the authority to:

- (1) Contract for services necessary for the management and operation of the commission and for the development, management, and implementation of the financial educational plans and programs.
- (2) Contract with consultants as necessary to carry out the responsibilities of the commission.
- (3) Promote, advertise, and publicize the activities of the commission.
- (4) Coordinate and promote financial education efforts at the state and local level, including promoting partnerships among state and local governments, nonprofit organizations including the commission, and private entities.

7. Duties of Commission

(a) Duties of the commission include:

- (1) Appointing an independent director of the commission, if necessary, to hold office at the pleasure of the commission.
 - A. The director may be terminated by a majority vote of the commission if the director does not offer his/her resignation.
- (2) Raising funds for the financial educational plans and programs, excluding the Securities Commissioner or his/her designee and the Bank Commissioner or his/her designee.
- (3) Managing and implementing financial educational plans and programs.
- (4) Providing education in all aspects of an individual's financial matters.
- (5) Creating and maintaining a financial resources website with a comprehensive range of financial topics.
- (6) Working with other state agencies to provide financial education to schools in the state.
 - A. The topics shall include but are not limited to:
 - i. Earning a livable income
 - ii. Balancing a checkbook and bank account
 - iii. Using credit cards and managing debt
 - iv. Saving for postsecondary education
 - v. Retirement and long-term financial planning; and
 - vi. Investing

8. Fees and Expenses

- (a) All members shall serve without compensation. Members shall receive reimbursement for travel and personal expenses made on behalf of the board.
- (b) Reimbursement must be approved by the board and issued from the account established by the 501(c)(3).
- (c) Funds shall be raised through sponsorships and other means approved by the commission thru the 501(c)(3) and may be used for:
 - (1) Promotion of financial education programs
 - (2) Purchasing financial education materials
 - (3) Travel expenses of the commission
- (d) Any balance remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the benefit and use of the commission.

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H4/14/21

A Bill

SENATE BILL 599

5 By: Senator Irvin
6 By: Representative Cozart
7

For An Act To Be Entitled

9 AN ACT TO ESTABLISH THE ARKANSAS FINANCIAL EDUCATION
10 COMMISSION; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO ESTABLISH THE ARKANSAS FINANCIAL
15 EDUCATION COMMISSION.
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code Title 6, Chapter 1, is amended to add an
21 additional subchapter to read as follows:
22

Subchapter 7 – Arkansas Financial Education Commission

6-1-701. Title.

26 This subchapter shall be known and may be cited as the "Arkansas
27 Financial Education Commission".
28

6-1-702. Purpose.

30 It is the purpose of this subchapter to:

31 (1) Provide financial literacy education programs to all
32 geographic areas and socioeconomic backgrounds; and

33 (2) Promote the importance of saving for education.
34

35 6-1-703. Arkansas Financial Education Commission – Creation – Members
36 – Powers.



1 (a) There is established the Arkansas Financial Education Commission.

2 (b)(1) The commission shall be administered by a board of directors.

3 (2)(A) The board shall consist of nine (9) members.

4 (B) Members of the board shall consist of:

5 (i) The Treasurer of State or his or her designee,
6 and who shall serve as chair;

7 (ii) The Commissioner of Elementary and Secondary
8 Education or his or her designee;

9 (iii) The Securities Commissioner or his or her
10 designee;

11 (iv) The Bank Commissioner or his or her designee;

12 (v) One (1) member who is designated by the Arkansas
13 Bankers Association;

14 (vi) One (1) member who is a member of a federally-
15 chartered credit union doing business in this state, appointed by the
16 Treasurer of State; and

17 (vii) Three (3) members who have various financial
18 backgrounds, one (1) member of the three (3) to be a female, one (1) member
19 of the three (3) to be a racial minority, appointed by the Treasurer of
20 State.

21 (3)(A) Members shall serve for two-year terms.

22 (B) A vacancy shall be filled by appointment by the
23 Treasurer of State for the unexpired term.

24 (C) New members shall be appointed every two (2) years.

25 (D) Members may be reappointed.

26 (4) Members shall select by majority vote:

27 (A) One (1) member to serve as vice chair;

28 (B) One (1) member to serve as secretary; and

29 (C) One (1) member to serve as treasurer.

30 (5)(A) Members shall serve without compensation.

31 (B) Members may receive compensation for travel and
32 personal expenses made on behalf of the board if funds are appropriated for
33 expense reimbursement according to § 25-16-902.

34 (c)(1) The chair shall call the first meeting of the board.

35 (2) A majority of the membership shall constitute a quorum.

36 (3) A majority vote of those members present shall be required

1 for any action of the board.

2 (4)(A) The board shall meet at least two (2) times a year, one
3 (1) meeting to be held in the spring and one (1) meeting to be held in the
4 fall, at the call of the chair.

5 (B) The board shall meet in Little Rock, Arkansas.

6 (C) All meetings shall be recorded and made available to
7 the public to ensure transparency.

8 (d) The board may:

9 (1) Incorporate the commission as a nonprofit corporation under
10 the Arkansas Nonprofit Corporation Act of 1993, § 4-33-101 et seq., and after
11 incorporation as a nonprofit corporation, to apply for tax exempt status
12 under 26 U.S.C. § 501(c)(3), as it existed on January 1, 2021;

13 (2) Have all the rights and powers of a nonprofit corporation
14 under federal and state law upon incorporation as a nonprofit corporation;

15 (3) Request information from any state agency or political
16 subdivision of the state that receives state funds to enable the commission
17 to perform the duties required by this subchapter;

18 (4) Enter into mutual agreements with any state agency, local
19 government, subdivision of the state or local government, or any for-profit
20 or nonprofit entity to:

21 (A) Allow the commission to use any facility within the
22 control or jurisdiction of the entity; or

23 (B) Render any services by an entity to the commission or
24 by the commission to the entity if the services are for or in connection with
25 the commission's activities;

26 (5) Make, execute, and deliver contracts, conveyances, and other
27 instruments necessary to the exercise and discharge of the powers and duties
28 of the board;

29 (6) Contract for services necessary for the management and
30 operation of the commission and for the development, management, and
31 implementation of the financial literacy educational plans and programs
32 described under this subchapter;

33 (7) Contract with consultants as necessary to carry out the
34 responsibilities under this subchapter;

35 (8) Promote, advertise, and publicize the activities of the
36 commission; and

1 (9) Coordinate and promote financial literacy education efforts
2 at the state and local level, including promoting partnerships among state
3 and local governments, nonprofit organizations including the commission, and
4 private entities.

5 (e) The commission is part of the Treasurer of State and shall use the
6 staff of the Treasurer of State.

7
8 6-1-704. Duties of the Arkansas Financial Education Commission.

9 The duties of the Arkansas Financial Education Commission include:

10 (1) Appointing as temporary director of the commission, a member
11 of the Section 529 Plan Review Committee, as described in § 6-84-105, and if
12 necessary, appoint a new and independent director of the commission;

13 (2) Raising funds for financial literacy educational plans and
14 programs, excluding a regulator who:

15 (A) Is a member of the board of directors of the
16 commission; and

17 (B) Shall not directly or indirectly participate in the
18 commission's fundraising activities;

19 (3)(A) Managing and implementing financial literacy educational
20 plans and programs.

21 (B) A financial literacy education plan or program
22 described in subdivision (3)(A) of this section includes without limitation
23 financial literacy educational programs for elementary and secondary school
24 students;

25 (4) Providing education in all aspects of financial matters;

26 (5) Creating a website to make financial resources available to
27 all Arkansans that covers a wide range of financial topics;

28 (6) Creating and providing awards to individuals and
29 organizations that help improve financial literacy throughout the state; and

30 (7)(A) Working with other state agencies in providing financial
31 literacy education and topics to schools in the state.

32 (B) The topics shall include:

33 (i) Earning a livable income;

34 (ii) Balancing a checkbook and bank account;

35 (iii) Use of credit cards and managing debt;

36 (iv) Saving for postsecondary education;

- (v) Retirement and long-term financial planning; and
- (vi) Investing.

6-1-705. Funding.

(a) The Arkansas Financial Education Commission may raise funds through sponsorship and other means approved by the commission for the purpose of promoting financial literacy in the state.

(b) Funds that are raised shall be used for the following plans and programs including without limitation:

- (1) Promotion of financial literacy programs;
- (2) Purchasing financial literacy materials; and
- (3) Travel expenses of the commission.

(c) Any balance remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the benefit and use of the commission.

6-1-706. Rules.

The board of directors of the Arkansas Financial Education Commission shall adopt rules to implement and administer this subchapter.

SECTION 2. DO NOT CODIFY. Rules.

(a) When adopting the initial rules required under this act, the Treasurer of State shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

- (1) On or before January 1, 2022; or
- (2) If approval under § 10-3-309 has not occurred by January 1, 2022, as soon as practicable after approval under § 10-3-309.

(b) The Treasurer of State shall file the proposed rules with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2022, so that the Legislative Council may consider the rules for approval before January 1, 2022.

/s/ Irvin

APPROVED: 4/29/21