

**HOUSE . . . . . No. 03347**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Brian Dempsey*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act establishing a financial literacy trust fund.

\_\_\_\_\_  
PETITION OF:

NAME: \_\_\_\_\_ | DISTRICT/ADDRESS: \_\_\_\_\_

[Pin Slip]

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act establishing a financial literacy trust fund.

*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is forthwith to promote financial lieteracy and education in the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 Chapter 10 of the General Laws is hereby amended by inserting after section 35PP the following
- 2 section:-
- 3 Section 35QQ. (a) There shall be established and set up on the books of the commonwealth a
- 4 Financial Literacy Trust Fund to encourage financial literacy and education for residents,
- 5 institutions, community organizations and entities that will promote financial literacy. The fund
- 6 shall be administered by the state treasurer, in consultation with the board of trustees established
- 7 under subsection (b). The fund shall accept private contributions, publicly or privately-funded

8 grants and funds appropriated by the state or federal government. No expenditure from the fund  
9 shall cause the fund to be in deficiency at the close of the fiscal year. Monies deposited in the  
10 fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and  
11 shall be available for expenditure in the subsequent fiscal year. The fund shall be an expendable  
12 trust fund and shall not be subject to appropriation or allotment.

13 (b) There shall be established a board of trustees to consist of 20 members, 2 of whom shall be  
14 appointed by the senate president and 1 of whom shall be appointed by the minority leader of the  
15 senate; 2 of whom shall be appointed by the speaker of the house and 1 of whom shall be  
16 appointed by the minority leader of the house; the state treasurer or a designee, who shall serve  
17 as chair; the attorney general or a designee; the undersecretary of consumer affairs and business  
18 regulation or a designee; the secretary of education or a designee; the commissioner of  
19 elementary and secondary education or a designee; the secretary of housing and economic  
20 development or a designee; and 8 persons to be appointed by the governor who shall have  
21 experience in fundraising, education or financial services. All non-elected members shall serve  
22 for terms of 3 years, but they may be reappointed. The board of trustees shall develop by-laws  
23 and may develop regulations for the implementation of the trust. The trust may expend funds for  
24 the purposes of administering the fund, which may include an annual independent audit of the  
25 financial activities of the fund. The trust may also enter into contracts with private corporations  
26 for the purposes of managing and implementing the programmatic fiduciary or administrative  
27 goals of the trust, subject to the approval of the board of trustees. The trust may also, to the  
28 extent necessary, create a 501(c)3 corporation to fulfill the purposes of the trust. The state  
29 treasurer shall annually report to the general court all programmatic and financial activities and  
30 balances of the fund on or before the last Wednesday in December.

31 (c) Notwithstanding any general or special law or rule or regulation to the contrary, the state  
32 treasurer, members of the board of trustees or their designees shall maximize the balance in the  
33 trust by soliciting private donations, gifts, grants and bequests of the trust, including direct and  
34 indirect fundraising.