

SENATE BILL No. 316

By Committee on Financial Institutions and Insurance

1-14

1 AN ACT concerning the office of the state bank commissioner; relating to
2 powers, duties and responsibilities of the state bank commissioner;
3 authorizing the state bank commissioner to establish a nonprofit
4 organization incorporated under the laws of Kansas to provide
5 charitable consumer financial education initiatives in Kansas.

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7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. (a) (1) The state bank commissioner is authorized to
9 establish a nonprofit organization incorporated under the laws of Kansas to
10 provide charitable consumer financial education initiatives in Kansas.

11 (2) Unless otherwise provided in this section, the nonprofit
12 organization may engage in any lawful activity that such organization
13 deems necessary to further such organization's charitable consumer
14 financial education initiatives in Kansas, including, but not limited to:

15 (A) Directly providing outreach and education;

16 (B) funding other nonprofit organizations that provide consumer
17 financial education;

18 (C) providing scholarships to Kansans for the attainment of higher
19 education in Kansas postsecondary educational institutions; or

20 (D) investing idle funds for future consumer financial education
21 initiatives.

22 (b) (1) The nonprofit organization may accept grants or donations
23 from the public.

24 (2) With the approval of the state bank commissioner or the
25 commissioner's designee, any person under an enforcement action or
26 examination that is ordered to pay a fine designated for consumer financial
27 education may contribute a donation to the nonprofit organization in lieu
28 of paying such fine.

29 (c) The state bank commissioner may authorize the funding of the
30 nonprofit organization for the initial and subsequent transfers from the
31 consumer education settlement fund.

32 (d) The nonprofit organization shall not:

33 (1) Have paid employees; or

34 (2) hold or acquire any real or personal property other than
35 publications and other personal property intended to be provided through
36 charitable consumer financial education initiatives in Kansas.

1 (e) The nonprofit organization may enter into contracts with third
2 parties to further such organization's charitable consumer financial
3 education initiatives, including, but not limited to, accountants and
4 investment professionals.

5 (f) (1) The nonprofit organization shall be managed and controlled by
6 a board of directors.

7 (2) Such board shall be comprised of a number of directors to be
8 determined by the organization in the organizational bylaws.

9 (3) The initial board of directors shall be appointed by the state bank
10 commissioner. Subsequent directors shall be appointed in accordance with
11 a process specified in the organizational bylaws.

12 (4) Each board member shall serve on a volunteer basis and receive
13 no remuneration other than reimbursement for bona fide expenses paid on
14 behalf of the organization.

15 (5) No board member or board member's immediate family shall
16 benefit from the nonprofit organization.

17 (g) The nonprofit organization shall not fund political activities.

18 (h) Nothing in this section shall be construed to deem the nonprofit
19 organization as a state agency.

20 Sec. 2. This act shall take effect and be in force from and after its
21 publication in the statute book.