



Substitute House Bill No. 6992

Public Act No. 17-120

AN ACT PROTECTING THE INTERESTS OF CONSUMERS DOING BUSINESS WITH FINANCIAL PLANNERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) (a) For purposes of this section and section 2 of this act, (1) "fiduciary duty" means a duty to act with prudence in the best interests of a consumer with undivided loyalty to such consumer, and (2) "financial planner" means a person offering individualized financial planning or investment advice to a consumer for compensation where such activity is not otherwise regulated by state or federal law.

(b) No financial planner shall, in connection with an agreement with a consumer to provide financial planning or investment advice for compensation, use a certificate, professional designation or form of advertising expressing or implying that such person has special training, education or experience in advising or serving senior citizens, unless such person has obtained a certificate, title or designation as described in section 36b-4 of the general statutes.

(c) A financial planner shall disclose to a consumer, upon request, whether or not such financial planner has a fiduciary duty to such consumer for each recommendation such financial planner makes to

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such consumer.

Sec. 2. (NEW) (*Effective from passage*) (a) To the extent practicable, the Banking Commissioner shall provide on the department's Internet web site links to educational materials on (1) financial planning and other designations, including associated prerequisites, and (2) information on requirements for investment advisers pursuant to chapter 672a of the general statutes. The Banking Commissioner shall also include on the department's Internet web site information concerning a consumer's right to ask for disclosure from financial planners or other financial planning professionals about fees and compensation as required under applicable state and federal law.

(b) The Department of Banking shall share the information provided on the department's Internet web site pursuant to subsection (a) of this section with the Department of Consumer Protection. The Department of Consumer Protection shall provide such shared information on its own department's Internet web site.

Approved July 5, 2017