

111TH CONGRESS
2^D SESSION

H. R. 5043

To amend title 11 of the United States Code to modify the dischargeability of debts for certain educational payments and loans.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2010

Mr. COHEN (for himself and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 11 of the United States Code to modify the dischargeability of debts for certain educational payments and loans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Private Student Loan
5 Bankruptcy Fairness Act of 2010”.

6 **SEC. 2. EXCEPTIONS TO DISCHARGE.**

7 Section 523(a)(8) of title 11, United States Code, is
8 amended—

9 (1) by striking subparagraph (B), and

10 (2) in subparagraph (A)—

1 (A) in clause (i)—

2 (i) by striking “(i)”, and

3 (ii) by inserting “any program for
4 which substantially all of the funds are
5 provided by a” after “unit or”, and

6 (B) in clause (ii)—

7 (i) by striking “(ii)” and inserting
8 “(B)”, and

9 (ii) by striking “or” at the end.

10 **SEC. 3. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

11 (a) **EFFECTIVE DATE.**—Except as provided in sub-
12 section (b), this Act and the amendments made by this
13 Act shall take effect on the date of the enactment of this
14 Act.

15 (b) **APPLICATION OF AMENDMENTS.**—The amend-
16 ments made by this Act shall apply only with respect to
17 cases commenced under title 11 of the United States Code
18 on or after the date of the enactment of this Act.

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