

114TH CONGRESS
1ST SESSION

H. R. 3450

To amend the Truth in Lending Act to prohibit private educational lenders from requiring accelerated repayment of private education loans upon the death or disability of a cosigner of the loan.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2015

Mr. KILDEE introduced the following bill; which was referred to the
Committee on Financial Services

A BILL

To amend the Truth in Lending Act to prohibit private educational lenders from requiring accelerated repayment of private education loans upon the death or disability of a cosigner of the loan.

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 “Student Debt Repay-
5 ment Fairness Act of 2015”.

1 **SEC. 2. PROHIBITION ON REQUIRING FULL REPAYMENT OF**
 2 **PRIVATE EDUCATION LOAN UPON DEATH OR**
 3 **DISABILITY OF COSIGNER.**

4 Section 140 of the Truth in Lending Act (15 U.S.C.
 5 1650) is amended by adding at the end the following new
 6 subsection:

7 “(g) PROHIBITION ON ACCELERATING REPAYMENT
 8 UPON DEATH OR DISABILITY OF A COSIGNER ON A PRI-
 9 VATE EDUCATION LOAN.—

10 “(1) IN GENERAL.—If a cosigner who is jointly
 11 liable on a private education loan is unable to fulfill
 12 any obligations with respect to the loan by reason of
 13 death or disability, the private educational lender
 14 may not accelerate the repayment terms of any out-
 15 standing obligation if the borrower is in good stand-
 16 ing (as determined by the Bureau) with respect to
 17 the loan.

18 “(2) DISABILITY DEFINED.—In this subsection,
 19 the term ‘disability’ means a permanent and total
 20 disability, as determined in accordance with the reg-
 21 ulations of the Secretary of Education under section
 22 437(a) of the Higher Education Act of 1965 (20
 23 U.S.C. 1087(a)), or a determination by the Sec-
 24 retary of Veterans Affairs that the individual is un-
 25 employable due to a service-connected condition.”.