

ACT No. 334

2020 Regular Session

HOUSE BILL NO. 676

BY REPRESENTATIVES EMERSON, BRYANT, CARRIER, GARY CARTER, WILFORD CARTER, DUPLESSIS, FONTENOT, FREEMAN, FREIBERG, GAINES, IVEY, TRAVIS JOHNSON, LARVADAIN, LYONS, DUSTIN MILLER, CHARLES OWEN, SELDERS, AND STEFANSKI AND SENATORS FIELDS AND JACKSON

1 AN ACT

2 To enact R.S. 17:3391, relative to student debt; to allow public postsecondary education
3 management boards to adopt policies to prohibit the institutions under their
4 supervision and management from withholding student transcripts and other records
5 due to outstanding debt or defaulting on a loan; to prohibit public postsecondary
6 education institutions from withholding certain services due to defaulting on a loan;
7 to provide for definitions; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3391 is hereby enacted to read as follows:

10 §3391. Student records; outstanding student debt; student loan default

11 A. For purposes of this Section:

12 (1) "Debt" means any money, obligation, claim, or sum, due or owing, or
13 alleged to be due or owing, from a student.

14 (2) "Default" means the failure of a borrower to repay a loan according to
15 the terms agreed to in the promissory note.

16 B. Notwithstanding any other provision of law, each public postsecondary
17 education management board may adopt a policy to prohibit the institutions under
18 its supervision and management from doing any of the following:

19 (1) Refuse to provide a transcript for a current or former student on the
20 grounds that the student owes a debt.

1 (2)(a) Condition the provision of a transcript for a current or former student
2 on the payment of a debt other than a fee charged to provide the transcript or
3 enrollment in a repayment plan.

4 (b) Any repayment plan established as a precondition of providing a
5 transcript shall include a monthly payment amount. The monthly payment amount
6 shall be established with consideration of the current or former student's ability to
7 pay and shall not exceed fifteen percent of the student's monthly income.

8 (3) Charge a higher fee for obtaining a transcript or provide any other less
9 favorable treatment because a student or former student owes a debt.

10 (4) Use transcript issuance as a debt collection tool.

11 (5) Withhold services from a current or former student who is in default on
12 a federal loan. Services that shall not be withheld include but are not limited to:

13 (a) Providing grades.

14 (b) Providing a diploma.

15 (c) Course registration services.

16 (d) Issuing transcripts.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____