

112TH CONGRESS  
1ST SESSION

# H. R. 2028

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

MAY 26, 2011

Mr. COHEN (for himself, Mr. DAVIS of Illinois, Mr. CONYERS, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mr. ACKERMAN, Mr. BERMAN, Mr. TOWNS, Ms. MOORE, Mr. BISHOP of New York, Mr. DOYLE, Mr. STARK, Mr. JOHNSON of Georgia, Mr. RYAN of Ohio, Mr. WATT, Ms. CHU, and Mr. POLIS) 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 2011”.

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

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

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

2 (2) in subparagraph (A)—

3 (A) in clause (i)—

4 (i) by striking “(i)”, and

5 (ii) by inserting “any program for

6 which substantially all of the funds are

7 provided by a” after “unit or”, and

8 (B) in clause (ii)—

9 (i) by striking “(ii)” and inserting

10 “(B)”, and

11 (ii) by striking “or” at the end.

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

13 (a) **EFFECTIVE DATE.**—Except as provided in sub-

14 section (b), this Act and the amendments made by this

15 Act shall take effect on the date of the enactment of this

16 Act.

17 (b) **APPLICATION OF AMENDMENTS.**—The amend-

18 ments made by this Act shall apply only with respect to

19 cases commenced under title 11 of the United States Code

20 on or after the date of the enactment of this Act.

○