

116TH CONGRESS  
1ST SESSION

# H. R. 885

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2019

Mr. COHEN (for himself, Mr. COURTNEY, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Mr. MCNERNEY, Ms. MOORE, Ms. NORTON, Mr. SWALWELL of California, Ms. TITUS, Mr. WELCH, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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 2019”.

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.

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