

118TH CONGRESS
1ST SESSION

H. R. 138

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

JANUARY 9, 2023

Mr. COHEN (for himself, Mr. DAVIS of Illinois, Mr. SWALWELL, Ms. BROWNLEY, and Mr. KHANNA) 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 2023”.

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

1 (2) in subparagraph (A)—

2 (A) in clause (i)—

3 (i) by striking “(i)”; and

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

7 (B) in clause (ii)—

8 (i) by striking “(ii)” and inserting
9 “(B)”; and

10 (ii) by striking “or” at the end.

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

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

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

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