



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4095

Introduced 5/26/2021, by Rep. Aaron M. Ortiz

SYNOPSIS AS INTRODUCED:

New Act

Creates the Education Debt Collection Practices Act. For the purpose of debt collection, provides that an institution of higher education (including an institution to which the Private Business and Vocational Schools Act of 2012 applies and a person engaged in the business of providing postsecondary education to a person located in this State, regardless of whether the person has obtained authorization from the Board of Higher Education to operate in this State or is accredited) may not (i) refuse to provide an official transcript on the grounds that a current or former student owes a debt to the institution, (ii) condition the provision of an official transcript on the payment of a debt, other than a fee charged to provide the official transcript, (iii) charge a higher fee for obtaining an official transcript or provide less than favorable treatment of a request for an official transcript because a current or former student owes a debt, or (iv) use the issuance of an official transcript as a tool for debt collection. Effective immediately.

LRB102 18111 CMG 27043 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Education Debt Collection Practices Act.

6 Section 5. Definitions. As used in this Act:

7 "Institution of higher education" includes, but is not
8 limited to, institutions to which the Private Business and
9 Vocational Schools Act of 2012 or the Private College Act
10 applies and public institutions of higher education as defined
11 in the Board of Higher Education Act. "Institution of higher
12 education" also includes a person engaged in the business of
13 providing postsecondary education, via correspondence or
14 online or in this State, to a person located in this State,
15 regardless of whether the person has obtained authorization
16 from the Board of Higher Education to operate in this State or
17 is accredited.

18 "Official transcript" means the academic transcript or a
19 similar academic record of each current or former student of
20 an institution of higher education that is deemed official,
21 authenticated, certified, or bona fide and that contains
22 information customarily provided on an official academic
23 transcript, including, but not limited to, courses taken,

1 terms, grades, degrees or credentials conferred, and any other
2 similar information.

3 Section 10. Education debt collection practices. For the
4 purposes of debt collection, an institution of higher
5 education may not:

6 (1) refuse to provide an official transcript on the
7 grounds that a current or former student owes a debt to the
8 institution;

9 (2) condition the provision of an official transcript
10 on the payment of a debt, other than a fee charged to
11 provide the official transcript;

12 (3) charge a higher fee for obtaining an official
13 transcript or provide less than favorable treatment of a
14 request for an official transcript because a current or
15 former student owes a debt; or

16 (4) use the issuance of an official transcript as a
17 tool for debt collection.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.