



General Assembly

Substitute Bill No. 1322

January Session, 2007

* SB01322APP_041907 *

AN ACT CONCERNING A STUDENT LOAN REPAYMENT ASSISTANCE PROGRAM FOR PUBLIC DEFENDERS AND PROSECUTORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2009*) (a) There is established a
2 student loan repayment assistance program which shall be
3 administered by the Department of Higher Education.

4 (b) The program established pursuant to subsection (a) of this
5 section shall provide student loan repayment assistance to attorneys
6 employed full time by the Division of Public Defender Services as
7 public defenders and attorneys employed full time by the Division of
8 Criminal Justice as prosecutors. Any such attorney may apply at such
9 time and in such manner as prescribed by the Commissioner of Higher
10 Education and shall be eligible for repayment assistance for loans
11 eligible pursuant to subsection (c) of this section commencing the first
12 full month following the second anniversary of such employment.

13 (c) (1) (A) An applicant for loan repayment assistance under the
14 program shall execute a release allowing the Commissioner of Higher
15 Education to contact lenders of loans approved pursuant to
16 subdivision (2) of this subsection.

17 (B) An applicant for loan repayment assistance under the program

18 shall agree to remain employed by the Division of Public Defender
19 Services as a full-time public defender or by the Division of Criminal
20 Justice as a full-time prosecutor for not less than three years after the
21 initial payment of assistance under subdivision (3) of subsection (d) of
22 this section.

23 (2) The Commissioner of Higher Education shall determine which
24 loans of an applicant are eligible for repayment assistance. Any such
25 loans shall be: (A) A loan made, insured or guaranteed under (i) Part B
26 of Title IV of the Higher Education Act of 1965, 20 USC 1071 et seq., as
27 from time to time amended, (ii) Part D or E of Title IV of the Higher
28 Education Act of 1965, 20 USC 1087 et seq., as amended from time to
29 time, or (iii) Section 428C or 455(g) of the Higher Education Act of
30 1965, 20 USC 1078-3 and 20 USC 1087e(g), as from time to time
31 amended, to the extent such loan was used to repay (I) a Federal Direct
32 Stafford Loan, (II) a Federal Direct Unsubsidized Stafford Loan, or (III)
33 a loan made under Section 428 or 428H of the Higher Education Act of
34 1965, as from time to time amended, and (B) a loan made to pay costs
35 associated with the applicant's education in pursuit of a Juris Doctorate
36 or any other degree required in pursuit of the Juris Doctorate degree,
37 as determined by the commissioner.

38 (d) (1) In order to receive loan repayment assistance pursuant to this
39 section, a participant shall apply for any other available source of loan
40 repayment assistance for the loans approved pursuant to subsection (c)
41 of this section.

42 (2) Not later than (A) October fifteenth for payments made in July,
43 August and September, (B) January fifteenth for payments made in
44 October, November and December, (C) April fifteenth for payments
45 made in January, February and March, and (D) July fifteenth, for
46 payments made in April, May and June, the participant in the loan
47 assistance repayment program shall submit quarterly receipts of loan
48 payments and receipts of loan repayment assistance from any other
49 source, if any, to the Department of Higher Education. The participant
50 shall, upon the initial submission of payments for any loan described

