



General Assembly

Amendment

January Session, 2009

LCO No. 6839

HB0648306839HDO

Offered by:

REP. BARRY, 12th Dist.
SEN. DUFF, 25th Dist.
SEN. GAFFEY, 13th Dist.
REP. WRIGHT E., 41st Dist.

REP. WILLIS, 64th Dist.
SEN. HANDLEY, 4th Dist.
REP. JANOWSKI, 56th Dist.

To: Subst. House Bill No. 6483

File No. 227

Cal. No. 195

**"AN ACT CONCERNING CREDIT CARD OFFERS ON COLLEGE
CAMPUSES."**

1 Strike everything after the enacting clause and insert the following
2 in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2009*) (a) For purposes of this
4 section, "marketing" means any activity attended and facilitated by an
5 agent or employee of a credit card issuer when such activity is
6 designed to offer a credit card to students enrolled at a public
7 institution of higher education in this state, but does not include (1)
8 activities that are open to the general public or accessible by
9 populations that include the general public, such as advertisements in
10 posters, newspapers, magazines, television, radio or Internet or other
11 similar activities; or (2) activities or merchandising conducted within
12 the physical boundaries of a financial services business located on or
13 within a campus of a public institution of higher education.

14 (b) On or before January 1, 2010, the Board of Governors of Higher
15 Education shall adopt policies regulating the marketing practices of
16 credit card issuers on the campuses of public institutions of higher
17 education. Such policies shall (1) require credit card issuers to register
18 with the public institution of higher education before conducting any
19 marketing activities on the campus of the institution; (2) require such
20 registered issuers, at least once each year in which the issuers are
21 engaged in marketing credit cards on the campus of the institution, to
22 appear in person at a location that is open to all students of the
23 institution for the purpose of providing educational information and
24 answering questions, and require the institution to advertise such
25 appearance; (3) prohibit credit card issuers from marketing to
26 undergraduate students during the orientation and class registration
27 periods; (4) require credit card issuers that engage in marketing
28 practices at public institutions of higher education to distribute credit
29 card management education materials along with any marketing
30 materials; (5) prohibit public institutions of higher education from
31 disclosing identifying information of undergraduate students at such
32 institutions to credit card issuers unless such institutions have
33 provided such students with notice of and the opportunity to opt out
34 of such disclosure in accordance with the regulations adopted by the
35 United States Department of Education pursuant to the Family
36 Educational Records and Privacy Act, 20 USC 1232g, as amended from
37 time to time; (6) prohibit employees of such public institutions of
38 higher education from marketing credit cards to students; (7) restrict
39 the time and place in which credit card marketing may occur; and (8)
40 prohibit the use of gifts and incentives in such marketing at
41 intercollegiate athletic events.

42 Sec. 2. (NEW) (*Effective July 1, 2009*) (a) No credit card issuer shall
43 take any debt collection action, including, but not limited to, telephone
44 calls or demand letters, against the parent or legal guardian of a
45 student to whom a credit card has been issued, unless the parent or
46 legal guardian has agreed in writing to be liable for the debts of the
47 student pursuant to the terms of the credit card agreement.

48 (b) For purposes of this section, "student" means a person who is
49 under twenty-one years of age and is enrolled in a public institution of
50 higher education on a full or part-time basis."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	New section
Sec. 2	<i>July 1, 2009</i>	New section