

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 157 Session of
2003

INTRODUCED BY EARLL, KUKOVICH, RHOADES, ROBBINS, KITCHEN,
M. WHITE, MOWERY, LEMMOND, COSTA, O'PAKE, WENGER, WOZNIAK,
SCHWARTZ, ORIE, GREENLEAF, LAVALLE, THOMPSON AND RAFFERTY,
FEBRUARY 4, 2003

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL
LICENSURE, AS AMENDED, MARCH 25, 2003

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for regulation of credit
6 card marketing on a college or university campus.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XXIII-A.

13 COLLEGE CAMPUS CREDIT CARD MARKETER ACT.

14 Section 2301-A. Definitions.--For the purposes of this
15 article the following terms shall have the following meanings:

16 (1) "Board" shall mean the State Board of Education.

17 (2) "College campus" shall include the premises and grounds
18 of an institution of higher education.

1 (3) "Credit card debt education brochure" shall mean the
2 information developed by a college or university, by a
3 registered non-profit, or by other sources as identified and
4 approved by the institution of higher education that details the
5 appropriate use, benefit and risk of incurring debt through the
6 use of credit cards.

7 (4) "Credit card marketer" shall include a person,
8 corporation, financial institution or business entity that
9 promotes, offers or accepts applications for a credit card.

10 (5) "Institution of higher education" means any of the
11 following:

12 (i) A community college operating under Article XIX-A.

13 (ii) A university within the State System of Higher
14 Education.

15 (iii) The Pennsylvania State University.

16 (iv) The University of Pittsburgh.

17 (v) Temple University.

18 (vi) Lincoln University.

19 (vii) Any other institution that is designated as "State-
20 related" by the Commonwealth.

21 (viii) Any accredited private or independent college.

22 (6) "State Board of Education" shall mean the entity known
23 as the State Board of Education and placed within, and made a
24 departmental administrative board of, the Department of
25 Education under section 202 of the act of April 9, 1929
26 (P.L.177, No.175), known as "The Administrative Code of 1929."

27 (7) "Student" shall mean a person who is at least eighteen
28 years of age and who attends an institution of higher education,
29 whether enrolled on a full-time or part-time basis.

30 Section 2302-A. Regulation of On-Campus Credit Card

1 Marketing.--The board shall require an institution of higher
2 education to adopt a policy to regulate the marketing practices
3 used on campuses by credit card companies. HOWEVER, NOTHING IN <—
4 THIS SECTION SHALL PRECLUDE ANY INSTITUTION FROM EXPRESSLY
5 PROHIBITING CREDIT CARD COMPANIES FROM CONDUCTING ANY MARKETING
6 PRACTICES ON ITS CAMPUS. In adopting a policy, the institutions
7 of higher education shall consider the following requirements:

8 (1) registering on-campus credit card marketers;

9 (2) limiting credit card marketers to specific institutional
10 campus sites designated by the administration of the
11 institution;

12 (3) prohibiting credit card marketers from offering gifts to
13 students in exchange for completing a credit card application
14 unless the student has been provided a credit card debt
15 education brochure;

16 (4) at least quarterly providing a credit card debt
17 education brochure with campus bookstore purchases; and

18 (5) developing a credit card debt education presentation to
19 be incorporated into orientation programs offered to new
20 students.

21 SECTION 2303-A. APPLICATION OF LIABILITY.--NONE OF THE <—
22 PROVISIONS OF THIS ARTICLE SHALL ESTABLISH A FOUNDATION OR
23 INCREASE THE STANDARD FOR NEW CLAIMS OF LIABILITY AGAINST A
24 COLLEGE OR UNIVERSITY.

25 Section 2. This act shall take effect in 60 days.