

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

AS REPORTED FROM COMMITTEE ON CONSUMER AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 17, 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 CREDIT CARD MARKETING.

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) "Campus" shall include the premises and grounds of an
18 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 establish a policy that regulates the marketing of
3 credit cards on campus. The policy may prohibit any marketing of
4 credit cards on the campus. In establishing the policy, the
5 institution of higher education shall consider all of the
6 following:

7 (1) Requiring registration of on-campus credit card
8 marketers.

9 (2) Limiting credit card marketers to specific areas of the
10 campus designated by the institution of higher education.

11 (3) Prohibiting credit card marketers from offering gifts to
12 a student in exchange for completing a credit card application
13 unless the student has been provided a credit card debt <—
14 education brochure. LITERATURE, WHICH INCLUDES, BUT IS NOT <—
15 LIMITED TO, BROCHURES OF OTHER WRITTEN, ELECTRONIC OR VERBAL
16 INFORMATION.

17 (4) Providing, at least quarterly, a credit card debt
18 education brochure with campus bookstore purchases.

19 (5) Incorporating into orientation programming a credit card
20 debt education presentation.

21 Section 2303-A. Construction.--Nothing in this article shall
22 be construed to impose civil or criminal liability on an
23 institution of higher education for any claim involving student
24 credit card debt.

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