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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2002

ENROLLED

Committee Substitute for

SENATE BILL NO. 217

(By Senator Redd, et al)

PASSED March 9, 2002

In Effect ninety days from Passage

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COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 217

(SENATORS REDD, BURNETTE, CALDWELL, HUNTER,
MINARD, ROWE, SNYDER, WOOTON, FACEMYER, MITCHELL,
LOVE, UNGER AND EDGELL, *original sponsors*)

[Passed March 9, 2002; in effect ninety days from passage.]

AN ACT to amend article fourteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section ten, relating to credit cards for college students; providing definitions; requiring the governing boards of institutions of higher education propose rules to regulate the marketing practices used on campuses by credit card companies; and limiting liability of parents or guardians.

Be it enacted by the Legislature of West Virginia:

That article fourteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be

amended by adding thereto a new section, designated section ten, to read as follows:

ARTICLE 14. MISCELLANEOUS.

§18B-14-10. Credit card solicitation on college campuses; regulation of credit card marketing.

1 (a) *Definitions.* – For the purposes of this section, the
2 following terms have the following meanings:

3 (1) “College campus” includes the premises and grounds
4 of an institution of higher education;

5 (2) “Credit card debt education brochure” means the
6 information developed by a college or university, by a
7 registered nonprofit corporation or by other sources as
8 identified and approved by the institution of higher
9 education, that details the appropriate use, benefits and
10 risks of incurring debt through the use of credit cards;

11 (3) “Credit card marketer” includes a person, corpora-
12 tion, financial institution or business entity that promotes,
13 offers or accepts applications for a credit card;

14 (4) “Institution of higher education” means any of the
15 following:

16 (i) A community college or technical college as defined in
17 subsection (e), section two, article one of this chapter; and

18 (ii) Bluefield state college, Concord college, Glenville
19 state college, Fairmont state college, Marshall university,
20 West Virginia northern community college, West Liberty
21 state college, Potomac state college of West Virginia
22 university, Shepherd college, West Virginia university
23 institute of technology, southern West Virginia community
24 institute of technology, West Virginia university at
25 Parkersburg, West Virginia school of osteopathic medicine,
26 West Virginia state college, West Virginia university and
27 all branch campuses of these institutions of higher educa-
28 tion; and

29 (5) "Student" means a person who is at least eighteen
30 years of age and who attends an institution of higher
31 education whether on a full-time or part-time basis.

32 (b) The governing boards of each institution shall
33 propose rules in accordance with the rule adopted by the
34 higher education policy commission pursuant to the
35 provisions of section six, article one of this chapter no
36 later than the first day of July, two thousand three, to
37 regulate the marketing practices used on campuses by
38 credit card companies. In proposing these rules, the
39 governing boards shall consider the following require-
40 ments:

41 (1) Registering on-campus credit card marketers;

42 (2) Limiting credit card marketers to specific institu-
43 tional campus sites designated by the president or admin-
44 istrative head of the institution or his or her designee;

45 (3) Prohibiting credit card marketers from offering
46 tangible gifts to students in exchange for completing a
47 credit card application;

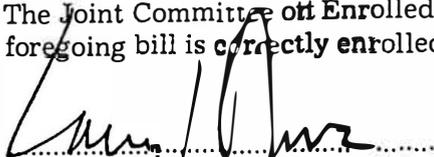
48 (4) Requiring that no application for the extension of
49 debt through a credit card may be made available to a
50 student unless the application is accompanied by a credit
51 card debt education brochure;

52 (5) Whether or not to use or the appropriate use of
53 student lists for the purpose of soliciting applications for
54 credit cards; and

55 (6) Developing a credit card debt education presentation
56 to be incorporated into orientation programs offered to
57 new students.

58 (c) Unless a student's parent or guardian has agreed in
59 writing to be liable as a cosigner for credit card debts of
60 the student, no person may initiate a debt collection action
61 against the parent or guardian regarding any credit card
62 debt incurred by the student.

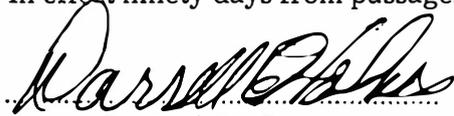
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman Senate Committee

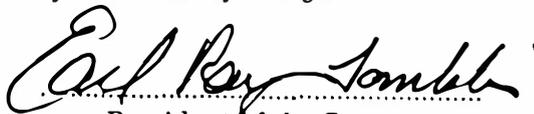

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Chairman House Committee

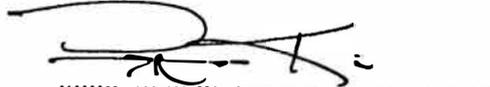
Originated in the Senate.

In effect ninety days from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within is approved..... this the 3rd
Day of April....., 2002.


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Governor

PRESENTED TO THE

GOVERNOR

Date 3/19/02

Time 3:05pm