

**Representative Susan Duckworth** proposes the following substitute bill:

**PROMOTION OF STUDENT LOAN FORGIVENESS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Susan Duckworth**

Senate Sponsor: Ann Millner

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**LONG TITLE**

**General Description:**

This bill enacts the Promotion of Student Loan Forgiveness Programs Act.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ instructs the Division of Antidiscrimination and Labor to develop and make publicly available informational materials that describe the Public Service Loan Forgiveness Program and the Teacher Loan Forgiveness Program;
- ▶ requires each employer that is a public service organization to annually provide an electronic copy of the Public Service Loan Forgiveness Program informational materials to each of the employer's employees; and
- ▶ requires each LEA to annually provide an electronic copy of the Teacher Loan Forgiveness Program informational materials to each of the LEA's teachers.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 ENACTS:

27 **34-54-101**, Utah Code Annotated 1953

28 **34-54-102**, Utah Code Annotated 1953

29 **34-54-201**, Utah Code Annotated 1953

30 **34-54-202**, Utah Code Annotated 1953

31 **34-54-203**, Utah Code Annotated 1953

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33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **34-54-101** is enacted to read:

35 **CHAPTER 54. PROMOTION OF STUDENT LOAN**

36 **FORGIVENESS PROGRAMS ACT**

37 **Part 1. General Provisions**

38 **34-54-101. Title.**

39 This chapter is known as "Promotion of Student Loan Forgiveness Programs Act."

40 Section 2. Section **34-54-102** is enacted to read:

41 **34-54-102. Definitions.**

42 As used in this chapter:

43 (1) "Division" means the Division of Antidiscrimination and Labor in the commission.

44 (2) (a) "Employer" means, except as provided in Subsection (2)(b), a public service  
45 organization in the state that employs one or more individuals.

46 (b) "Employer" does not include:

47 (i) a federal or tribal government organization, agency, or entity; or

48 (ii) a tribal college or university.

49 (3) "Employment certification form" means the form provided by the United States  
50 Department of Education, in part, to verify that an individual's employment qualifies for  
51 participation in a student loan forgiveness program.

52 (4) "LEA" means a school district, a charter school, or the Utah Schools for the Deaf  
53 and the Blind.

54 (5) "Public Service Loan Forgiveness Program" means the Public Service Loan  
55 Forgiveness Program described in 34 C.F.R. 685.219.

56 (6) "Public service organization" means the same as that term is defined in 34 C.F.R.

57 685.219.

58 (7) "Student loan forgiveness program" means:

59 (a) the Public Service Loan Forgiveness Program; or

60 (b) the Teacher Loan Forgiveness Program.

61 (8) "Teacher" means the same as that term is defined in 34 C.F.R. 685.217.

62 (9) "Teacher Loan Forgiveness Program" means the Teacher Loan Forgiveness

63 Program described in 34 C.F.R. 685.217.

64 Section 3. Section **34-54-201** is enacted to read:

65 **Part 2. Promotion of Student Loan Forgiveness Programs**

66 **34-54-201. Division duties.**

67 (1) For each student loan forgiveness program, the division shall develop a set of  
68 informational materials designed to increase awareness of the program among eligible residents  
69 of the state.

70 (2) In each set of informational materials described in Subsection (1), the division shall  
71 include:

72 (a) a one-page form letter for an employer to give to an employee who may be eligible  
73 for the loan forgiveness program that:

74 (i) briefly summarizes the loan forgiveness program;

75 (ii) describes each step the employee must take to participate in the loan forgiveness  
76 program; and

77 (iii) recommends the employee contact the employee's student loan servicer for  
78 additional information about the loan forgiveness program; ~~and~~ **and**

79 ~~(b) a detailed fact sheet that:~~

80 ~~(i) describes the loan forgiveness program; and~~

81 ~~(ii) includes a phone number and email address where an individual may report a~~  
82 ~~violation of this chapter to the division; and~~

83 ~~(e) (b) ←~~H~~ a document that contains answers to frequently asked questions about the loan~~  
84 ~~forgiveness program.~~

85 (3) The division may use information published by a federal agency to satisfy any  
86 requirement of Subsection (1) or (2).

87 (4) The division shall:

88 (a) make each set of informational materials described in this section available on the  
89 division's website; and

90 (b) ensure that each set of informational materials described in this section contains  
91 current and accurate information.

92 Section 4. Section **34-54-202** is enacted to read:

93 **34-54-202. Employer obligations.**

94 (1) (a) At least once each calendar year, an employer shall give each of the employer's  
95 employees an electronic copy of the set of informational materials that the division develops in  
96 accordance with Section [34-54-201](#) for the Public Service Loan Forgiveness Program.

97 (b) An employer shall give each employee hired on or after July 1, 2019, an electronic  
98 copy of the materials described in Subsection (1)(a) within 14 days after the day on which the  
99 employee begins work for the employer.

100 (2) Upon request from an employee, an employer shall complete the employer portions  
101 of an employment certification form and provide a copy of the employment certification form  
102 to the employee.

103 Section 5. Section **34-54-203** is enacted to read:

104 **34-54-203. Additional LEA obligations.**

105 (1) (a) At least once each calendar year, an LEA shall give each of the LEA's teachers  
106 an electronic copy of the set of informational materials that the division develops in accordance  
107 with Section [34-54-201](#) for the Teacher Loan Forgiveness Program.

108 (b) An LEA shall give each teacher hired on or after July 1, 2019, an electronic copy of  
109 the material described in Subsection (1)(a) within 14 days after the day on which the teacher  
110 begins work for the LEA.

111 (2) An LEA's obligations under this section are in addition to the other requirements of  
112 this chapter.