

S 136

ISA Student Protection Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Finance and Financial Sector

Introduced: Jan 30, 2023

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Jan 30, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/136>

Sponsor

Name: Sen. Young, Todd [R-IN]

Party: Republican • State: IN • Chamber: Senate

Cosponsors (3 total)

| Cosponsor | Party / State | Role | Date Joined |
|-----------------------------------|---------------|------|--------------|
| Sen. Coons, Christopher A. [D-DE] | D · DE | | Jan 30, 2023 |
| Sen. Rubio, Marco [R-FL] | R · FL | | Jan 30, 2023 |
| Sen. Warner, Mark R. [D-VA] | D · VA | | Jan 30, 2023 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------|---------|-------------|--------------|
| Finance Committee | Senate | Referred To | Jan 30, 2023 |

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

No related bills are listed.

ISA Student Protection Act of 2023

This bill sets forth consumer protections and other requirements for educational income share agreements (ISAs). In an educational ISA, a provider credits or advances funding for a recipient's postsecondary education or other training; in turn, the recipient agrees to pay the provider a percentage of the recipient's future earnings over a set period of time. (The Department of Education currently considers educational ISAs as private education loans for the purposes of preferred lender arrangement disclosures.)

Under the bill, the recipient is only obligated to pay back the provider if the recipient earns over a certain amount. The recipient's obligation to pay ends at the specified time even if the recipient does not pay back the full amount of the funding. Further, payments are limited to 20% of the recipient's income. Recipients earning under a certain threshold are exempt from payments.

If a recipient files for bankruptcy, ISAs are not subject to the same undue hardship standard typical of student loan discharges, therefore making these agreements easier to discharge. The bill also applies current consumer loan protections to these agreements. A provider must make certain disclosures to the recipient before entering into an ISA, including how payments are calculated, the length of the agreement, and how these agreements compare to student loan options.

The bill establishes the tax treatment of ISAs, including by exempting from taxable income the amounts received under an ISA.

Actions Timeline

- **Jan 30, 2023:** Introduced in Senate
- **Jan 30, 2023:** Read twice and referred to the Committee on Finance.