

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 23.1-619 of the Code of Virginia, relating to public institutions of higher*
3 *education; loans to students; collection.*

4
5 Approved

[H 165]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 23.1-619 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 23.1-619. Collection of loans.**

9 ~~Each~~ *For each loan made from its fund, each institution shall make:*

10 *1. Include in loan documents for each loan an individual plan for the repayment of principal and*
11 *interest and the payment of any late fees and clear and detailed information about the collection process*
12 *for such loan pursuant to the Virginia Debt Collection Act (§ 2.2-4801 et seq.), including information*
13 *about the agency or entity that is responsible for collection;*

14 *2. Establish a process for notifying each student or, in the case of an undergraduate student and as*
15 *appropriate, the student's parent of any loan payment that is past due no later than (i) 30 days after the*
16 *payments become past due and (ii) if necessary, the end of the academic term during which such*
17 *payment becomes past due; and*

18 *3. Make every effort to collect each loan ~~made from its fund~~ and comply with the Virginia Debt*
19 *Collection Act (§ 2.2-4801 et seq.) with regard to the collection of such loans, provided that,*
20 *notwithstanding §§ 2.2-4805 and 2.2-4806, the institution may, with the consent of the borrower, modify*
21 *the terms of any loan for which payments are past due to provide for repayment forbearance on such*
22 *loan and repayment to commence on a mutually agreed-upon date in the future. Prior to entering into*
23 *any such agreement, the institution shall provide the borrower with information regarding the effect of a*
24 *forbearance on the loan amount, including (i) the amount of any additional accumulated principal and*
25 *interest and (ii) the estimated total amount to be owed upon recommenced payments.*

ENROLLED

HB165ER