

By: Gonzales

H.B. No. 3198

Substitute the following for H.B. No. 3198:

By: Harper-Brown

C.S.H.B. No. 3198

A BILL TO BE ENTITLED

AN ACT

relating to suits for default on a student loan administered by the Texas Higher Education Coordinating Board.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 52.39, Education Code, is amended to read as follows:

Sec. 52.39. DEFAULT; SUIT. When any person who has received or cosigned as a guarantor for a loan authorized by this chapter has failed or refused to make as many as six monthly payments due in accordance with an executed note, then the full amount of the remaining principal and interest becomes due and payable immediately, and the amount due, the person's name and ~~his~~ last known address, and other necessary information shall be reported by the board to the attorney general. Suit for the remaining sum may ~~shall~~ be instituted by the attorney general. Venue for and jurisdiction of a suit arising under this section is exclusively conferred upon a court of competent jurisdiction in Travis County ~~[, or any county or district attorney acting for him, in the county of the person's residence, the county in which is located the institution at which the person was last enrolled, or in Travis County, unless the attorney general finds reasonable justification for delaying suit and so advises the board in writing].~~

SECTION 2. The changes in law made by this Act to Section

1 52.39, Education Code, apply only to a suit filed under that section
2 on or after the effective date of this Act. A suit filed under
3 Section 52.39, Education Code, before the effective date of this
4 Act is governed by the law in effect on the date the suit is filed,
5 and the former law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2013.