



May 2022

An Act concerning the withholding of student transcripts or diplomas by public or private institutions of higher education and certain proprietary institutions and supplementing [TITLE/ARTICLE X] of the [STATE CODE/LAWs].

Be It Enacted by the [SENATE] and [ASSEMBLY] of the State of [STATE]:

1. As used in this act:

“Debt” means any money, obligation, claim, or sum, contingent or absolute, due or owing, or alleged to be due or owing, from a current or former student, but does not include the fee, if any, charged to all students for the actual costs of providing the transcripts or diplomas;

“Diploma” means the awarding or conferral of a degree or certification to a student who has completed all academic requirements for their course of study, as well as any certificate or designation of such completion;

“Institution” means any public or private institution of higher education or proprietary institution licensed to offer academic degrees [AS DEFINED IN “CITATION”]; and

“Transcript” means a representation of a student’s academic record, both official and unofficial, including all completed credits and courses and completed courses of study.

2. Notwithstanding any provisions of law, an institution shall not:

a. refuse to provide a transcript or diploma for a current or former student on the grounds that the student owes a debt;

b. condition the provision of a transcript or diploma on the payment of a debt, other than a fee charged to provide the transcript or diploma;

c. charge a higher fee for obtaining a transcript or diploma, or provide less favorable treatment of a transcript or diploma request because a current or former student owes a debt; or

d. use transcript or diploma issuance as a tool for debt collection.



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3. In addition to such penalties as may otherwise be applicable by law, the [ATTORNEY GENERAL, FINANCIAL REGULATOR] may, after notice and hearing, enjoin such transcript or diploma withholding practices and require any institution found to be violating the provisions of this section [OR THE RULES OR REGULATIONS PROMULGATED HEREUNDER] to pay to the people of this state a penalty of five hundred dollars for each violation.

4. In addition to the right of action granted to [ATTORNEY GENERAL, FINANCIAL REGULATOR] pursuant to this section, any violation of this section shall also be a violation of [STATE CONSUMER PROTECTION LAW.]

5. This act shall take effect immediately.