

112TH CONGRESS  
1ST SESSION

# S. 1102

To amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

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IN THE SENATE OF THE UNITED STATES

MAY 26, 2011

Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness for Strug-  
5 gling Students Act of 2011”.

6 **SEC. 2. EXCEPTIONS TO DISCHARGE.**

7 Section 523(a)(8) of title 11, United States Code, is  
8 amended by striking “dependents, for” and all that follows  
9 through the end of subparagraph (B) and inserting “de-  
10 pendants, for an educational benefit overpayment or loan

1 made, insured, or guaranteed by a governmental unit or  
2 made under any program funded in whole or in part by  
3 a governmental unit or an obligation to repay funds re-  
4 ceived from a governmental unit as an educational benefit,  
5 scholarship, or stipend;”.

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