

**PROPOSED AMENDMENTS TO
HOUSE BILL 4102**

1 On page 1 of the printed bill, delete lines 4 through 30 and delete page
2 2 and insert:

3 **“SECTION 1. (1) As used in this section, ‘third-party financial**
4 **firm’ means a company, business or other organization that contracts**
5 **with public or private post-secondary institutions of education to pro-**
6 **vide disbursement and management services of financial aid funds for**
7 **students enrolled in the public or private post-secondary institutions**
8 **of education.**

9 **“(2) A public or private post-secondary institution of education may**
10 **not enter into a contract with a third-party financial firm to provide**
11 **disbursement and management services of financial aid funds for stu-**
12 **dents enrolled at the public or private post-secondary institution of**
13 **education, unless the contract:**

14 **“(a) Requires the third-party financial firm to provide a student**
15 **with a clear and concise fee schedule before the student agrees to open**
16 **an account offered by the third-party financial firm for disbursement**
17 **and management of the student’s financial aid funds;**

18 **“(b) Provides that a student may choose to directly access the ac-**
19 **count offered by the third-party financial firm or receive the student’s**
20 **financial aid funds through a paper check or an electronic funds**
21 **transfer to a bank account of the student’s choice;**

22 **“(c) Requires that after the financial aid funds are available, the**

1 **third-party financial firm send a paper check to a student or initiate**
2 **an electronic funds transfer within three business days of the date on**
3 **which the student requests the funds;**

4 **“(d) Prohibits the third-party financial firm from charging a stu-**
5 **dent a fee or other charge to receive the student’s financial aid funds**
6 **through a paper check or an electronic funds transfer; and**

7 **“(e) Prohibits the parties from revenue sharing, including but not**
8 **limited to payments from the third-party financial firm to the public**
9 **or private post-secondary institution of education based on the bal-**
10 **ances or account activity of any student accounts offered by the**
11 **third-party financial firm.**

12 **“(3) If a contract offers wire transfers as a method of access to**
13 **student financial aid funds, the contract may provide for a reasonable**
14 **fee charged to a student for the wire transfer.**

15 **“(4) The Higher Education Coordinating Commission shall review**
16 **the fee schedule of a third-party financial firm with which a public or**
17 **private post-secondary institution of education has entered into or**
18 **renewed a contract and shall review the potential costs to the public**
19 **or private post-secondary institution of education and its students as**
20 **a result of the fees listed in the fee schedule.**

21 **“SECTION 2. The Higher Education Coordinating Commission shall**
22 **submit a report on the reviews conducted under section 1 (4) of this**
23 **2014 Act in the manner provided in ORS 192.245 to an interim com-**
24 **mittee of the Legislative Assembly related to higher education as ap-**
25 **propriate no later than October 1, 2015.**

26 **“SECTION 3. Section 1 of this 2014 Act applies to contracts that a**
27 **public or private post-secondary institution of education first adver-**
28 **tises or otherwise solicits or, if the public or private post-secondary**
29 **institution of education does not advertise or otherwise solicit a con-**
30 **tract, to a contract into which a public or private post-secondary in-**

1 stitution of education first enters on or after the operative date
2 specified in section 4 of this 2014 Act, and applies to existing contracts
3 that the public or private post-secondary institution of education re-
4 news on or after the operative date specified in section 4 of this 2014
5 Act.

6 **“SECTION 4.** Section 1 of this 2014 Act becomes operative August
7 1, 2014.

8 **“SECTION 5.** A public or private post-secondary institution of edu-
9 cation may take any action before the operative date specified in sec-
10 tion 4 of this 2014 Act that is necessary for the public or private
11 post-secondary institution of education to exercise, on or after the
12 operative date specified in section 4 of this 2014 Act, all of the duties,
13 functions and powers conferred on the public or private post-secondary
14 institution of education by section 1 of this 2014 Act.

15 **“SECTION 6.** This 2014 Act being necessary for the immediate
16 preservation of the public peace, health and safety, an emergency is
17 declared to exist, and this 2014 Act takes effect on its passage.”.

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