

#### **164A.060 Powers of corporation.**

The corporation shall have all of the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including, but without limiting the generality of the foregoing, the following powers:

- (1) To make or participate in the making of insured student loans.
- (2) To purchase or participate in the purchase of insured student loans, which purchase may be from eligible lenders.
- (3) To sell or participate in the sale of insured student loans, which sale may be to eligible lenders or to the student loan marketing association.
- (4) To collect and pay reasonable fees and charges in connection with making, purchasing, and servicing or causing to be made, purchased, or serviced insured student loans by the corporation, including payment to the guarantee agency for services performed for the corporation.
- (5) To procure insurance in respect of all student loans made or purchased by the corporation.
- (6) To consent whenever it deems it necessary or desirable in the fulfillment of its corporate purposes to the modification of the rate of interest, time of payment of any installment of principal or interest or any other terms of any insured student loan to which the corporation is a party; provided, that no such consent shall be made or given if the effect of same would be to obviate insurance coverage in respect of any student loan.
- (7) To include in any borrowing such amounts as may be deemed necessary by the corporation to pay financing charges, interest on its obligations for a period not exceeding two (2) years from their date, consulting, advisory and legal fees, and such other expenses as are necessary or incident to any such borrowing.
- (8) To make and publish rules and regulations respecting its lending programs and such other rules and regulations as are necessary to effectuate its corporate purposes.
- (9) To make, execute, and effectuate any and all agreements or other documents with any federal or state agency or any person, corporation, association, partnership, or other organization or entity and perform other acts necessary or appropriate to accomplish effectively the purposes of this chapter.
- (10) To accept appropriations, loans, grants, revenue sharing, devises, gifts, bequests and federal grants, and any other aid from any source whatsoever and to agree to, and to comply with, conditions incident thereto.
- (11) To sue and be sued in its own name and to plead and be impleaded.
- (12) To maintain an office in the city of Frankfort, Kentucky, in conjunction with or in close proximity to the Kentucky Higher Education Assistance Authority and such other regional offices as may be required.
- (13) To adopt an official seal and alter the same at pleasure.
- (14) To adopt bylaws for the regulation of its affairs and the conduct of its business and to prescribe rules, regulations, and policies in connection with the performance of its functions and duties.

- (15) To employ fiscal consultants, attorneys, counselors, and such other consultants and employees as may be required in the judgment of the corporation and to fix and pay their compensation.
- (16) To invest any funds held in reserves or in sinking fund accounts or any moneys not required for immediate disbursement in obligations guaranteed by the United States or its agencies and instrumentalities; provided, however, that the return on such investments shall not be violative of any laws and regulations regarding investment of the proceeds of any federal tax-exempt bond issue.
- (17) To issue its bonds and notes for the purpose of carrying out its corporate powers and duties as set forth in this chapter.
- (18) To service and collect educational loans for other lenders, holders, and educational institutions.
- (19) Except where specifically prohibited by law, to secure data from any other Commonwealth of Kentucky agency or instrumentality or from any other source in furtherance of any purposes of the corporation related to any program or function administered by the corporation.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 111, sec. 8, effective July 13, 2004. -- Amended 1996 Ky. Acts ch. 350, sec. 7, effective July 15, 1996. -- Created 1978 Ky. Acts ch. 387, sec. 6, effective June 17, 1978.