

1 AN ACT relating to the Asset Resolution Corporation.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 164A.055 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Board" means the board of directors of the ~~[Kentucky Higher Education~~  
6 ~~Student Loan Corporation acting in the capacity of the board of ]~~Asset  
7 Resolution Corporation; and

8 (b) "Corporation" means the Asset Resolution Corporation created in this section.

9 (2) There is hereby created ***and established*** an ***independent du jure municipal***  
10 ***corporation and political subdivision***~~[instrumentality]~~ of the Commonwealth to be  
11 known as Asset Resolution Corporation for the purpose of promoting higher  
12 educational opportunities for the citizens of the Commonwealth by providing debt  
13 resolution services for student loan obligations ~~[held by the United States~~  
14 ~~Department of Education or other third party entities ]~~and any other ***student service***  
15 ***or education-***related activity to the extent such activity is not limited or prohibited  
16 by statute or other governing authority.

17 (3) The corporation shall be attached to the Kentucky Higher Education Student Loan  
18 Corporation for administrative and reporting purposes and shall be governed,  
19 managed, and administered as a separate and distinct instrumentality of the  
20 Commonwealth in accordance with this section.

21 (4) The Kentucky Higher Education Student Loan Corporation and its facilities shall be  
22 used and employed in the administration of the corporation, including but not  
23 limited to the keeping of records and the employment of staff to assist in the  
24 performance of the designated activities of the corporation.

25 (5) The board shall have the power and authority to:

26 (a) Sue and be sued;

27 (b) Promulgate administrative regulations and adopt procedures to implement this

- 1 section;
- 2 (c) Make and enter into contracts necessary for the administration of the  
3 corporation;
- 4 (d) Adopt a corporate seal and change and amend it from time to time;
- 5 (e) Make, execute, and effectuate any and all agreements or other documents with  
6 the United States Department of Education, this Commonwealth, any federal  
7 or state agency, or any person, corporation, association, partnership, or other  
8 organization or entity and perform other acts necessary or appropriate for the  
9 effectuation of its rights and duties pursuant to this section;
- 10 (f) Delegate to the Kentucky Higher Education Student Loan Corporation general  
11 supervision and direction over the administrative function of the corporation  
12 and its employees in carrying out the policies, programs, administrative  
13 regulations, and directives of the board;
- 14 (g) Carry out the duties and obligations of the corporation pursuant to this section,  
15 and to have any and all other powers as may be reasonably necessary for the  
16 effectuation of the purposes of the corporation; ~~and~~
- 17 (h) Adopt bylaws for the conduct of its business, including the designation of  
18 directors, and prescribe rules, regulations, and policies in connection with the  
19 performance of its functions and duties; ~~and~~
- 20 **(i) Employ consultants, attorneys, counselors, and such employees as may be**  
21 **required in the judgment of the corporation and to fix and pay their**  
22 **compensation and benefits. The corporation shall not establish or**  
23 **contribute to on behalf of its employees a defined benefit plan;**
- 24 **(j) Provide any service to schools or students related to student education**  
25 **loans, including but not limited to the areas of financial awareness,**  
26 **counseling, default aversion or prevention, servicing, and collecting; and**
- 27 **(k) Provide support services for postsecondary education and workforce**

1                   development training and programs to students, families, schools, and  
2                   training centers.

3 (6) Board members, except officers or employees of the state, shall receive  
4 compensation for their services in the amount of one hundred dollars (\$100) per day  
5 for attendance at each board meeting and shall be entitled to payment of any  
6 reasonable and necessary expenses actually incurred in discharging their duties  
7 under this section.