

**CHAPTER 94****( HB 260 )**

AN ACT relating to postsecondary student financial assistance.

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

➔Section 1. KRS 164A.337 is repealed, reenacted as a new section of KRS 164.740 to 164.7911, and amended to read as follows:

- (1) The board is authorized to incorporate an organization pursuant to KRS Chapter 273 for the eleemosynary, charitable, and educational purposes of administering an endowment trust. The organization so created shall be an instrumentality of the Commonwealth, but shall possess no part of the sovereign powers of the Commonwealth. The corporation shall be created to qualify as a tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code.
- (2) The endowment trust created pursuant to subsection (1) of this section shall solicit and accept gifts, grants, donations, bequests, or other endowments, including general fund appropriations from the Commonwealth and grants from any federal or other governmental agency, for the purposes of the endowment trust.
- (3) The endowment trust shall provide student financial assistance benefits, including, but not limited to, ***college access programs administered by the board or*** grants, scholarships, or loans to pay higher education costs of ***Kentucky residents***~~[members of the public, designated as beneficiaries of participation agreements under the Kentucky Educational Savings Plan Trust,]~~ who enroll in an institution of higher education in Kentucky.
- ~~{(4) The board is authorized to transfer to the endowment trust, after its qualification under Section 501(c)(3) of the Internal Revenue Code, any funds or assets then held in the endowment fund initially established pursuant to KRS 164A.335.}~~
- ~~(4){(5)}~~ Any gifts, grants, or donations made by any governmental unit or any person, firm, partnership or corporation to the endowment trust shall be a grant, gift, or donation for the accomplishment of a valid public, eleemosynary, charitable, and educational purpose.
- ~~(5){(6)}~~ The endowment trust shall submit an annual audited report~~[, in accordance with KRS 164A.365(1) and (2),]~~ to the ***board***~~[program administrator]~~ not later than the fifteenth of each September.

➔Section 2. The following KRS section is repealed:

164A.315 Office facilities, clerical and administrative support for endowment trust.

**Signed by Governor March 30, 2015.**