



Rep. Richard P. Myers

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09400HB5438ham001

LRB094 16780 NHT 56568 a

1 AMENDMENT TO HOUSE BILL 5438

2 AMENDMENT NO. _____. Amend House Bill 5438 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Governor's Office of Management and Budget
5 Act is amended by adding Section 3.5 as follows:

6 (20 ILCS 3005/3.5 new)

7 Sec. 3.5. Sale of ISAC loans prohibited. The Office may not
8 sell student loans of the Illinois Student Assistance
9 Commission or the attendant loan origination and servicing
10 rights.

11 Section 10. The Higher Education Student Assistance Act is
12 amended by changing Section 140 as follows:

13 (110 ILCS 947/140)

14 Sec. 140. Powers and duties. The Commission shall have the
15 following powers in furtherance of the programs authorized by
16 this Act:

17 (a) To adopt rules and regulations governing the purchasing
18 ~~and~~ servicing, ~~and selling~~ of eligible loans and any other
19 matters relating to the activities of the guaranteed loan
20 programs.

21 (b) To perform such other acts as may be necessary or
22 appropriate in connection with the making, purchasing, and

1 servicing, ~~and selling~~ of eligible loans.

2 (c) To sue and be sued in the name of the Commission.

3 (d) To make, purchase, service, ~~sell~~, or otherwise deal in,
4 at prices and on terms and conditions determined by the
5 Commission, eligible loans, including loans guaranteed by the
6 Commission. The Commission, however, may not sell its loans or
7 the attendant loan origination and servicing rights nor may any
8 other State agency or a State official sell the loans or the
9 attendant loan origination and servicing rights. All student
10 loans of the Commission and the attendant loan origination and
11 servicing rights are inalienable and must remain as assets of
12 the Commission.

13 (e) To issue bonds to make or acquire eligible loans or to
14 refund the bonds of the Commission and to provide for the
15 security and payment of those bonds and for the rights of the
16 holders thereof.

17 (f) To retain in accounts designated in the resolution or
18 resolutions authorizing the bonds of the Commission and to
19 disburse therefrom all proceeds from the sale of the bonds of
20 the Commission issued pursuant to this Act, all eligible loans
21 receipts received by the Commission, and all earnings received
22 by the Commission from any authorized investment.

23 (g) To hire and retain such attorneys, accountants,
24 financial advisors, and other employees as may be required by
25 the Commission, to determine their qualifications, to define
26 their duties, to fix their compensation, and to pay that
27 compensation from the proceeds from the sale of the bonds of
28 the Commission issued pursuant to this Act and from the
29 earnings received by the Commission from any authorized
30 investment as provided in the resolution or resolutions
31 authorizing the bonds, all notwithstanding any other
32 provisions of this Act or any other law.

33 (h) To enter into contracts, to execute instruments, to
34 invest and to accumulate assets, to incur liabilities, and to

1 do all things necessary or incidental to the proper management
2 of such affairs and the proper conduct of such business as are
3 authorized under this Act.

4 (Source: P.A. 87-997.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."