

CHAPTER 24

NONPROFIT CORPORATION FOR EDUCATIONAL FINANCIAL ASSISTANCE, SERVICES, AND RESEARCH

S.F. 261

AN ACT authorizing the college student aid commission to organize a nonprofit corporation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 261.8 Corporation for educational financial assistance, services, and research.**

1. *Nonprofit corporation for receiving and disbursing funds.* The commission may organize a nonprofit corporation under the provisions of [chapter 504](#) that qualifies under section 501(c)(3) of the Internal Revenue Code as an organization exempt from taxation for the purpose of receiving and disbursing moneys from public or private sources to be used to provide Iowans with educational financial assistance, services to increase access to and success in postsecondary education, and research. Unless otherwise provided in this section, the corporation is subject to the provisions of [chapter 504](#).

2. *Incorporators.* The incorporators of the corporation organized pursuant to this section shall be the chairperson of the commission, the executive director of the commission, and a member of the commission selected by a majority vote of the commission.

3. *Board of directors.* The board of directors of the corporation organized pursuant to this section shall be the members of the commission appointed under [section 261.1, subsection 2](#), paragraphs “a”, “b”, and “d”, or their successors in office, and may include up to two additional members who shall be appointed by the commission and who shall have experience or legal and technical expertise relating to nonprofit organizations.

4. *Accepting grants in aid.* The corporation organized pursuant to this section may accept grants of money or property from the federal government or private sources and may upon its own order use its money, property, or other resources for the purposes set forth in [subsection 1](#).

5. *Open meetings and open records.* The corporation is subject to [chapters 21 and 22](#) as if the corporation were a governmental body.

6. *Status.* The corporation shall collaborate with the commission for the purposes specified in this section, but the corporation shall not be considered, in whole or in part, an agency, department, or administrative unit of the state. The corporation shall not receive appropriations from the general assembly. Except as provided in [subsection 5](#), the corporation shall not be required to comply with any requirements that apply to a state agency, department, or administrative unit and shall not exercise any sovereign power of the state. The commission shall enter into an agreement under [chapter 28E](#) with the corporation to stipulate the powers and responsibilities of the corporation and the commission for purposes of this section. The corporation may enter into agreements with other entities as necessary to fulfill the provisions of this section.

7. *No state liability.* The corporation does not have authority to pledge the credit of the state, and the state shall not be liable for the debts or obligations of the corporation. All debts and obligations of the corporation shall be payable solely from the corporation’s funds.

8. *Tax deductible.* The corporation shall be established so that donations and bequests to the corporation qualify as tax deductible under state income tax laws and under section 501(c)(3) of the Internal Revenue Code.

9. *Staffing and administrative support.* The commission shall provide staff assistance and administrative support to the corporation.

10. *Report.* The corporation shall submit by January 15 annually a written report of its activities and operations to the governor, the general assembly, and the commission.

Approved March 22, 2021