

**HIGHER EDUCATION FACILITIES AUTHORITY ACT (EXCERPT)**  
**Act 295 of 1969**

**390.924 Powers of authority.**

Sec. 4.

The authority shall have the powers necessary to carry out and effectuate the purposes and provisions of this act, including but not limited to the following powers:

(a) To sue and be sued; to have a seal and alter it at pleasure; to have perpetual succession; to make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise of its powers; and to make and amend bylaws.

(b) To accept gifts, grants, loans, and other aids from a person, corporation, or governmental agency.

(c) To loan money to educational institutions for the purpose of assisting in the acquisition, construction, alteration, or equipping of educational facilities, including any improvements necessary to make them more energy efficient, and to accept security for money so loaned.

(d) To loan money to educational institutions for the purpose of refunding outstanding obligations issued by the educational institutions for the acquisition, construction, or alteration of educational facilities prior to or after July 11, 1973, whether or not the obligations to be refunded have matured.

(e) To enforce its rights under mortgage, contracts, or agreements, including foreclosure and court actions.

(f) To acquire, hold, and dispose of real or personal property as necessary for the accomplishment of the purpose of this act.

(g) To procure insurance against any loss in connection with its property, assets, or activities.

(h) To borrow money and to issue its bonds, to provide for the rights of the holders of the bonds, and to secure the bonds by mortgage, assignment, or pledge of any or all of its properties, including any part of the security for its educational loans. The state shall not be liable on any bonds of the authority, the bonds shall not be a debt of the state, and each bond shall contain on its face a statement to that effect.

(i) To invest any funds not required for immediate use or disbursement, at its discretion, in obligations of the state or the United States, in obligations the principal and interest of which are guaranteed by the state or the United States, or in certificates of deposit of any bank whose deposits are insured by the federal deposit insurance corporation.

(j) Subject to the provisions of any contract with the holders of its bonds, whenever it considers it necessary or desirable, to consent to the modification, with respect to security, rate of interest, time of payment of interest or principal, or any other term of a bond, mortgage, contract, or agreement of any kind between the authority and any educational institution.

(k) To engage the services of private consultants or contract with any private organization for professional and technical assistance and advice or other services.

(l) To appoint officers, agents, and employees, and to describe their duties and fix their compensation subject to the civil service laws of this state.

(m) To make rules necessary to carry out the purposes of this act.

(n) To solicit grants and contributions from a governmental authority and from the general public.

(o) To agree and comply with conditions attached to federal financial assistance.

(p) To collect fees and charges in connection with its loans, commitments, and servicing, including but not limited to, reimbursements of costs of financing by the authority, service charges, insurance premiums, and a share of the operating expenses of the authority, and to provide for increasing those fees and charges, if necessary, as the authority determines to be reasonable and as approved by the authority.

**History:** 1969, Act 295, Imd. Eff. Aug. 11, 1969 ;-- Am. 1971, Act 56, Eff. Mar. 30, 1972 ;-- Am. 1973, Act 50, Imd. Eff. July 11, 1973 ;-- Am. 1975, Act 305, Imd. Eff. Dec. 22, 1975 ;-- Am. 1982, Act 409, Imd. Eff. Dec. 28, 1982

**Compiler's Notes:** For consolidation of administrative staff of Michigan higher education assistance authority, Michigan higher education facilities authority, Michigan higher education student loan authority, Michigan municipal bond authority, and state hospital finance authority, and for transfer of certain functions to state treasurer, see E.R.O. No. 2002-8, compiled at MCL 12.193.