

Suspend the Rules and Pass the Bill, H.R. 4279, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
1ST SESSION

H. R. 4279

To direct the Securities and Exchange Commission to revise any rules necessary to enable closed-end companies to use the securities offering and proxy rules that are available to other issuers of securities.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2017

Mr. HOLLINGSWORTH introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To direct the Securities and Exchange Commission to revise any rules necessary to enable closed-end companies to use the securities offering and proxy rules that are available to other issuers of securities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanding Investment
5 Opportunities Act”.

1 **SEC. 2. PARITY FOR CLOSED-END COMPANIES REGARDING**
2 **OFFERING AND PROXY RULES.**

3 (a) REVISION TO RULES.—Not later than the end of
4 the 180 period beginning on the date of enactment of this
5 Act, the Securities and Exchange Commission shall pro-
6 pose and, not later than 1 year after the date of enactment
7 of this Act, the Securities and Exchange Commission shall
8 finalize any rules, as appropriate, to allow any closed-end
9 company, as defined in section 5(a)(2) of the Investment
10 Company Act of 1940 (15 U.S.C. 80a–5), that is reg-
11 istered as an investment company under such Act, and
12 is listed on a national securities exchange or that makes
13 periodic repurchase offers pursuant to section 270.23c-3
14 of title 17, Code of Federal Regulations, to use the securi-
15 ties offering and proxy rules, subject to conditions the
16 Commission determines appropriate, that are available to
17 other issuers that are required to file reports under section
18 13 or section 15(d) of the Securities Exchange Act of
19 1934 (15 U.S.C. 78m; 78o(d)). Any action that the Com-
20 mission takes pursuant to this subsection shall consider
21 the availability of information to investors, including what
22 disclosures constitute adequate information to be des-
23 ignated as a “well-known seasoned issuer”.

24 (b) TREATMENT IF REVISIONS NOT COMPLETED IN
25 A TIMELY MANNER.—If the Commission fails to complete
26 the revisions required by subsection (a) by the time re-

1 quired by such subsection, any registered closed-end com-
2 pany that is listed on a national securities exchange or
3 that makes periodic repurchase offers pursuant to section
4 270.23c-3 of title 17, Code of Federal Regulations, shall
5 be deemed to be an eligible issuer under the final rule of
6 the Commission titled “Securities Offering Reform” (70
7 Fed. Reg. 44722; published August 3, 2005).

8 (c) RULES OF CONSTRUCTION.—

9 (1) NO EFFECT ON RULE 482.—Nothing in this
10 section or the amendments made by this section
11 shall be construed to impair or limit in any way a
12 registered closed-end company from using section
13 230.482 of title 17, Code of Federal Regulations, to
14 distribute sales material.

15 (2) REFERENCES.—Any reference in this sec-
16 tion to a section of title 17, Code of Federal Regula-
17 tions, or to any form or schedule means such rule,
18 section, form, or schedule, or any successor to any
19 such rule, section, form, or schedule.