To amend the Consumer Financial Protection Act of 2010 to clarify the authority of the Bureau of Consumer Financial Protection with respect to persons regulated by a State insurance regulator, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2017

Mr. DUFFY (for himself and Ms. MOORE) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Consumer Financial Protection Act of 2010 to clarify the authority of the Bureau of Consumer Financial Protection with respect to persons regulated by a State insurance regulator, and for other purposes.

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 “Business of Insurance
5 Regulatory Reform Act of 2017”.

SEC. 2. CLARIFICATION TO THE AUTHORITY OF THE BUREAU WITH RESPECT TO PERSONS REGULATED BY A STATE INSURANCE REGULATOR.

Section 1027(f) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5517(f)) is amended—

(1) in paragraph (2)—

(A) by striking “DESCRIPTION OF ACTIVITIES.—Paragraph (1)” and inserting “EXCEPTIONS.—

“(A) Authority.—Paragraph (1)”; and

(B) by inserting after subparagraph (A) (as added by this Act) the following new subparagraph:

“(B) LIMITATION.—With respect to a person regulated by a State insurance regulator—

“(i) and if such person is offering or providing a consumer financial product or service, the Bureau may not enforce this title with respect to such person to the extent such person is engaged in the business of insurance; or

“(ii) and if such person is subject to any enumerated consumer law or any law for which authorities are transferred under subtitle F or H, the authority of the Bureau to enforce such law with respect to
such person shall be narrowly construed to
the extent such person is engaged in the
business of insurance.”; and
(2) by adding at the end the following new
paragraph:
“(4) RULE OF CONSTRUCTION.—The enforce-
ment of this title shall be broadly construed in favor
of the authority of a State insurance regulator with
respect to a person regulated by a State insurance
regulator.”.