

115TH CONGRESS
2D SESSION

H. R. 6035

To direct the Securities and Exchange Commission to revise section 230.163 of title 17, Code of Federal Regulations, to apply the exemption offered in such section to communications made by underwriters and dealers acting by or on behalf of a well-known seasoned issuer.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2018

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

A BILL

To direct the Securities and Exchange Commission to revise section 230.163 of title 17, Code of Federal Regulations, to apply the exemption offered in such section to communications made by underwriters and dealers acting by or on behalf of a well-known seasoned issuer.

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 “Streamlining Commu-
5 nications for Investors Act”.

1 **SEC. 2. EXEMPTION OF COMMUNICATIONS MADE BY UN-**
2 **DERWRITERS AND DEALERS ACTING BY OR**
3 **ON BEHALF OF WELL-KNOWN SEASONED**
4 **ISSUER.**

5 (a) IN GENERAL.—Not later than 120 days after the
6 date of the enactment of this section, the Securities and
7 Exchange Commission shall revise section 230.163(c) of
8 title 17, Code of Federal Regulations, to apply the exemp-
9 tion offered in section 230.163 of title 17, Code of Federal
10 Regulations, to written and oral communications made by
11 an underwriter or dealer acting by or on behalf of a well-
12 known seasoned issuer if, before such a communication is
13 made—

14 (1) the underwriter or dealer making such com-
15 munication receives written authorization from the
16 well-known seasoned issuer to act as its agent or
17 representative; and

18 (2) the well-known seasoned issuer authorized
19 or approved such communication.

20 (b) INCLUSION IN PROSPECTUS.—A well-known sea-
21 soned issuer shall identify in the prospectus filed for an
22 offering each underwriter or dealer that has made oral or
23 written communications related the offering in reliance on
24 the exemption under section 230.163 of title 17, Code of
25 Federal Regulations.

1 (c) TREATMENT IF REVISIONS NOT COMPLETED IN
2 A TIMELY MANNER.—If the Commission fails to complete
3 the revisions required by subsection (a) by the time re-
4 quired by such subsection, the exemption offered in section
5 230.163 of title 17, Code of Federal Regulations, shall be
6 deemed to apply to written and oral communications made
7 by an underwriter or dealer acting by or on behalf of a
8 well-known seasoned issuer if, before such a communica-
9 tion is made—

10 (1) the underwriter or dealer making such com-
11 munication receives written authorization from the
12 well-known seasoned issuer to act as its agent or
13 representative; and

14 (2) the well-known seasoned issuer authorized
15 or approved such communication.

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