

117TH CONGRESS
1ST SESSION

H. R. 4481

IN THE SENATE OF THE UNITED STATES

NOVEMBER 3, 2021

Received; read twice and referred to the Committee on Small Business and
Entrepreneurship

AN ACT

To amend the Small Business Act to establish requirements
for 7(a) agents, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Small Business 7(a)
3 Loan Agent Transparency Act”.

4 **SEC. 2. REQUIREMENTS FOR 7(a) AGENTS.**

5 (a) OFFICE OF CREDIT RISK MANAGEMENT DU-
6 TIES.—Section 47(b) of the Small Business Act (15
7 U.S.C. 657t(b)) is amended—

8 (1) in paragraph (2), by striking “and” at the
9 end;

10 (2) in paragraph (3), by striking the period and
11 inserting a semicolon; and

12 (3) by adding at the end the following new
13 paragraph:

14 “(4) any 7(a) agent.”.

15 (b) ENFORCEMENT AUTHORITY.—

16 (1) OFFICE OF CREDIT RISK MANAGEMENT.—
17 Section 47(e) of the Small Business Act (15 U.S.C.
18 657t(e)) is amended by inserting “or 7(a) agent”
19 after “7(a) lender” each place such term appears.

20 (2) LENDER OVERSIGHT COMMITTEE.—Section
21 48(c)(2) of the Small Business Act is amended by
22 striking “and any Lending Partner or Intermediary
23 participant” and inserting “, any 7(a) agent (as de-
24 fined in section 47), or any Lending Partner or
25 Intermediary participant”.

1 (c) REGISTRATION SYSTEM.—Section 47 of the Small
2 Business Act (15 U.S.C. 657t) is amended by adding at
3 the end the following new subsections:

4 “(j) REGISTRATION SYSTEM FOR 7(a) AGENTS.—

5 “(1) IN GENERAL.—The Director shall establish
6 a registration system for 7(a) agents that assigns a
7 unique identifier to each 7(a) agent and collects data
8 necessary for the Director to submit the report re-
9 quired under paragraph (4).

10 “(2) REQUIREMENTS.—A 7(a) agent shall—

11 “(A) register in the system established
12 under paragraph (1) before providing covered
13 services to a lender or applicant; and

14 “(B) effective 1 year after the date of the
15 enactment of this subsection, submit an annual
16 fee for such registration to the Director.

17 “(3) DATABASE.—The Director shall establish
18 and maintain an electronic database of the types of
19 covered services provided by each 7(a) agent.

20 “(k) DEFINITIONS.—In this section:

21 “(1) 7(a) AGENT.—The term ‘7(a) agent’
22 means a person who provides covered services on be-
23 half of a lender or applicant.

24 “(2) COVERED SERVICES.—The term ‘covered
25 services’ means—

1 “(A) assistance with completing an appli-
 2 cation for a loan under section 7(a) (including
 3 preparing a business plan, cash flow projec-
 4 tions, financial statements, and related docu-
 5 ments); or

6 “(B) consulting, broker, or referral services
 7 with respect to a loan under section 7(a).”.

8 (d) **EFFECTIVE DATE.**—This Act and the amend-
 9 ments made by this Act shall take effect 6 months after
 10 the date of the enactment of this Act.

 Passed the House of Representatives November 2,
 2021.

Attest:

CHERYL L. JOHNSON,

Clerk.