

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCARTHY OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Revised

226

**AMENDMENT TO THE RULES COMMITTEE PRINT
 OF H.R. 3606
 OFFERED BY MR. MCCARTHY OF CALIFORNIA**

Page 19, beginning on line 6, strike “(a) REMOVAL OF RESTRICTION.—” and all that follows through line 11 and insert the following:

- 1 (a) MODIFICATION OF RULES.—
- 2 (1) Not later than 90

Page 19, line 23, insert after the period the following: “Section 230.506 of title 17, Code of Federal Regulations, as revised pursuant to this section, shall continue to be treated as a regulation issued under section 4(2) of the Securities Act of 1933 (15 U.S.C. 77d(2)).”

Page 19, after line 23, insert the following:

- 3 (2) Not later than 90 days after the date of en-
- 4 actment of this Act, the Securities and Exchange
- 5 Commission shall revise subsection (d)(1) of section
- 6 230.144A of title 17, Code of Federal Regulations,
- 7 to provide that securities sold under such revised ex-
- 8 emption may be offered to persons other than quali-
- 9 fied institutional buyers, including by means of gen-

1 eral solicitation or general advertising, provided that
2 securities are sold only to persons that the seller and
3 any person acting on behalf of the seller reasonably
4 believe is a qualified institutional buyer.

5 (c) CONSISTENCY IN INTERPRETATION.—Section 4
6 of the Securities Act of 1933 (15 U.S.C. 77d) is amend-
7 ed—

8 (1) by striking “The provisions of section 5”
9 and inserting “(a) The provisions of section 5”; and

10 (2) by adding at the end the following:

11 “(b) Offers and sales exempt under section 230.506
12 of title 17, Code of Federal Regulations (as revised pursu-
13 ant to section 201 of the Jumpstart Our Business
14 Startups Act) shall not be deemed public offerings under
15 the Federal securities laws as a result of general adver-
16 tising or general solicitation.”.

