

.....
(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To amend the Securities Act of 1933 to provide an exemption for certain
micro-offering transactions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. McHENRY introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Securities Act of 1933 to provide an exemption
for certain micro-offering transactions, and for other pur-
poses.

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 “Relief for Small Busi-
5 nesses Through Micro-Offerings Act of 2020”.

1 **SEC. 2. EXEMPT TRANSACTIONS FOR CERTAIN MICRO-OFFERINGS.**

3 (a) IN GENERAL.—Section 4(a) of the Securities Act
4 of 1933 (15 U.S.C. 77d(a)) is amended by adding at the
5 end the following:

6 “(8) transactions involving the offer or sale of
7 securities by an issuer (including all entities controlled by or under common control with the issuer),
8 provided that—

10 “(A) the aggregate amount sold to all investors by the issuer, including any amount sold
11 in reliance on the exemption provided under
12 this paragraph during the 12-month period preceding the date of such transaction, is not more
13 than \$250,000;

16 “(B) the aggregate amount sold to any investor by an issuer, including any amount sold
17 in reliance on the exemption provided under
18 this paragraph during the 12-month period preceding the date of such transaction, does not
19 exceed \$5,000; and

22 “(C) the transaction is conducted through
23 a broker or funding portal registered with the
24 Commission.”.

25 (b) AUTHORITY TO PROHIBIT BAD ACTORS.—In
26 issuing rules to carry out section 4(a)(8) of the Securities

1 Act of 1933, as added by subsection (a), the Securities
2 and Exchange Commission may prohibit a person from en-
3 gaging in a transaction described under such section
4 4(a)(8) if such person is subject to an event that would
5 disqualify an issuer or other covered person under Rule
6 506(d)(1) of Regulation D (17 C.F.R. 230.506(d)(1)) or
7 is subject to a statutory disqualification described under
8 section 3(a)(39) of the Securities Exchange Act of 1934.

9 (c) TERMINATION.—Effective on the date that is 3
10 years after the date of the enactment of this Act, para-
11 graph (8) of section 4(a) of the Securities Act of 1933
12 (15 U.S.C. 77d(a)), as added by subsection (a), is re-
13 pealed.

14 (d) STUDY.—Not later than 1 year after the date of
15 the enactment of this Act, the Comptroller General of the
16 United States shall submit to Congress a study on the im-
17 pact of paragraph (8) of section 4(a) of the Securities Act
18 of 1933 (15 U.S.C. 77d(a)), as added by subsection (a).