

113TH CONGRESS
1ST SESSION

H. R. 2136

To ensure small businesses in rural America have access to credit to promote economic growth and job creation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2013

Mrs. HARTZLER introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To ensure small businesses in rural America have access to credit to promote economic growth and job creation, 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 “Small Business Credit
5 Availability Act”.

6 **SEC. 2. EXCLUSIONS FROM FINANCIAL ENTITY DEFINITION.**

7 Section 2(h)(7)(C)(ii) of the Commodity Exchange
8 Act (7 U.S.C. 2(h)(7)(C)(ii)) is amended to read as fol-
9 lows:

1 “(ii) EXCLUSION.—Such definition
2 shall not include an entity that is a small
3 bank, savings association, farm credit sys-
4 tem institution, non-profit cooperative
5 lender controlled by electric cooperatives,
6 or credit union if the aggregate
7 uncollateralized outward exposure plus ag-
8 gregate potential outward exposure of the
9 entity with respect to its swaps does not
10 exceed \$1,000,000,000.”.

11 **SEC. 3. EFFECTIVE DATE.**

12 The amendment made by this Act shall take effect
13 as if it had been included in subtitle A of title VII of the
14 Dodd-Frank Wall Street Reform and Consumer Protec-
15 tion Act.

16 **SEC. 4. IMPLEMENTATION.**

17 The amendment made by this Act shall be imple-
18 mented—

19 (1) without regard to—

20 (A) chapter 35 of title 44, United States
21 Code; and

22 (B) the notice and comment provisions of
23 section 553 of title 5, United States Code;

1 (2) through the promulgation of an interim
2 final rule, pursuant to which public comment will be
3 sought before a final rule is issued, and

4 (3) such that paragraph (1) shall apply solely
5 to changes to rules and regulations, or proposed
6 rules and regulations, that are limited to and di-
7 rectly a consequence of such amendments.

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