

117TH CONGRESS  
1ST SESSION

# S. 3409

To amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to require the appropriate Federal banking agencies to develop a Community Bank Leverage Ratio that is between 8 percent and 8.5 percent for calendar years 2022, 2023, and 2024, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2021

Mr. MORAN (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

---

## A BILL

To amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to require the appropriate Federal banking agencies to develop a Community Bank Leverage Ratio that is between 8 percent and 8.5 percent for calendar years 2022, 2023, and 2024, 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. COMMUNITY BANK LEVERAGE RATIO.**

4 Section 201 of the Economic Growth, Regulatory Re-  
5 lief, and Consumer Protection Act (12 U.S.C. 5371 note)

1 is amended by striking subsection (b) and inserting the  
2 following:

3 “(b) COMMUNITY BANK LEVERAGE RATIO.—

4 “(1) IN GENERAL.—Except as provided in para-  
5 graph (2), the appropriate Federal banking agencies  
6 shall, through notice and comment rule making  
7 under section 553 of title 5, United States Code—

8 “(A) develop a Community Bank Leverage  
9 Ratio of not less than 8 percent and not more  
10 than 10 percent for qualifying community  
11 banks; and

12 “(B) establish procedures for treatment of  
13 a qualifying community bank that has a Com-  
14 munity Bank Leverage Ratio that falls below  
15 the percentage developed under subparagraph  
16 (A) after exceeding the percentage developed  
17 under subparagraph (A).

18 “(2) CALENDAR YEARS 2022, 2023, AND 2024.—

19 The appropriate Federal banking agencies shall,  
20 through notice and comment rule making under sec-  
21 tion 553 of title 5, United States Code develop a  
22 Community Bank Leverage Ratio to apply during  
23 the period beginning on January 1, 2022, and end-  
24 ing on December 31, 2024, that is not less than 8

1       percent and not more than 8.5 percent for qualifying  
2       community banks.”.

○