

114TH CONGRESS
1ST SESSION

S. 871

To provide for an application process for interested parties to apply for an area to be designated as a rural area, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2015

Mr. MCCONNELL (for himself, Mr. HELLER, Mrs. CAPITO, and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide for an application process for interested parties to apply for an area to be designated as a rural area, 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 “Helping Expand Lend-
5 ing Practices in Rural Communities Act of 2015” or the
6 “HELP Rural Communities Act of 2015”.

7 **SEC. 2. DESIGNATION OF RURAL AREA.**

8 (a) APPLICATION.—Not later than 90 days after the
9 date of the enactment of this Act, the Bureau of Consumer

1 Financial Protection shall establish an application process
2 under which a person who lives or does business in a State
3 may, with respect to an area identified by the person in
4 such State that has not been designated by the Bureau
5 as a rural area for purposes of a Federal consumer finan-
6 cial law (as defined under section 1002 of the Consumer
7 Financial Protection Act of 2010), apply for such area to
8 be so designated.

9 (b) EVALUATION CRITERIA.—When evaluating an
10 application submitted under subsection (a), the Bureau
11 shall take into consideration the following factors:

12 (1) Criteria used by the Director of the Bureau
13 of the Census for classifying geographical areas as
14 rural or urban.

15 (2) Criteria used by the Director of the Office
16 of Management and Budget to designate counties as
17 metropolitan or micropolitan or neither.

18 (3) Criteria used by the Secretary of Agri-
19 culture to determine property eligibility for rural de-
20 velopment programs.

21 (4) The Department of Agriculture rural-urban
22 commuting area codes.

23 (5) A written opinion provided by the State's
24 bank supervisor, as defined under section 3(r) of the
25 Federal Deposit Insurance Act (12 U.S.C. 1813(r)).

1 (6) Population density.

2 (c) RULE OF CONSTRUCTION.—If, at any time prior
3 to the submission of an application under subsection (a),
4 the area subject to review has been designated as nonrural
5 by any Federal agency described under subsection (b)
6 using any of the criteria described under subsection (b),
7 the Bureau shall not be required to consider such designa-
8 tion in its evaluation.

9 (d) PUBLIC COMMENT PERIOD.—

10 (1) IN GENERAL.—Not later than 60 days after
11 receiving an application submitted under subsection
12 (a), the Bureau shall—

13 (A) publish such application in the Federal
14 Register; and

15 (B) make such application available for
16 public comment for not fewer than 90 days.

17 (2) LIMITATION ON ADDITIONAL APPLICA-
18 TIONS.—Nothing in this section shall be construed
19 to require the Bureau, during the public comment
20 period with respect to an application submitted
21 under subsection (a), to accept an additional appli-
22 cation with respect to the area that is the subject of
23 the initial application.

1 (e) DECISION ON DESIGNATION.—Not later than 90
2 days after the end of the public comment period under
3 subsection (d)(1) for an application, the Bureau shall—

4 (1) grant or deny such application, in whole or
5 in part; and

6 (2) publish such grant or denial in the Federal
7 Register, along with an explanation of what factors
8 the Bureau relied on in making such determination.

9 (f) SUBSEQUENT APPLICATIONS.—A decision by the
10 Bureau under subsection (e) to deny an application for
11 an area to be designated as a rural area shall not preclude
12 the Bureau from accepting a subsequent application sub-
13 mitted under subsection (a) for such area to be so des-
14 igned, so long as such subsequent application is made
15 after the end of the 90-day period beginning on the date
16 that the Bureau denies the application under subsection
17 (e).

18 (g) SUNSET.—This section shall cease to have any
19 force or effect after the end of the 2-year period beginning
20 on the date of the enactment of this Act.

21 **SEC. 3. OPERATIONS IN RURAL AREAS.**

22 The Truth in Lending Act (15 U.S.C. 1601 et seq.)
23 is amended—

24 (1) in section 129C(b)(2)(E)(iv)(I), by striking
25 “predominantly”; and

1 (2) in section 129D(c)(1), by striking “pre-
2 dominantly”.

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