

119TH CONGRESS  
2D SESSION

# H. R. 7866

To restore and clarify the intent of the Federal interest rate exportation parity for State-chartered banks by allowing States to opt out of preemption only with respect to loans made by their own chartered institutions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2026

Mr. DAVIDSON (for himself and Mr. BARR) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To restore and clarify the intent of the Federal interest rate exportation parity for State-chartered banks by allowing States to opt out of preemption only with respect to loans made by their own chartered institutions, 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 “American Lending  
5       Fairness Act of 2026”.

1 **SEC. 2. INTEREST RATE APPLICABLE TO OUT-OF-STATE**  
2 **CHARTERED FINANCIAL INSTITUTIONS.**

3 (a) INSURED DEPOSITORY INSTITUTIONS.—Section  
4 27 of the Federal Deposit Insurance Act (12 U.S.C.  
5 1831d) is amended by adding at the end the following:

6 “(c) If a State adopts a law or certifies that the vot-  
7 ers of the State have voted in favor of any provision, con-  
8 stitutional or otherwise, that states explicitly and by its  
9 terms that the State does not want this subsection to  
10 apply with respect to loans made by institutions chartered  
11 by that State, subsection (a) shall not apply to loans made  
12 by (or for which a commitment to make such loan was  
13 entered into by) such institutions after the date on which  
14 that law is adopted or such certification is made.”.

15 (b) INSURED CREDIT UNIONS.—Section 205(g) of  
16 the Federal Credit Union Act (12 U.S.C. 1785(g)) “is  
17 amended” by adding at the end the following:

18 “(3) If a State adopts a law or certifies that the vot-  
19 ers of the State have voted in favor of any provision, con-  
20 stitutional or otherwise, that states explicitly and by its  
21 terms that the State does not want this subsection to  
22 apply with respect to loans made by institutions chartered  
23 by that State, paragraph (1) shall not apply to loans made  
24 by (or for which a commitment to make such loan was  
25 entered into by) such institutions after the date on which  
26 that law is adopted or such certification is made.”.

1 (c) REPEAL.—

2 (1) IN GENERAL.—Section 525 of the Depository Institutions Deregulation and Monetary Control  
3 Act of 1980 (12 U.S.C. 1730g note) is hereby re-  
4 pealed.  
5

6 (2) APPLICATION.—The amendments made by  
7 subsections (a) and (b) shall apply with respect to,  
8 and govern the legal effect of, any State law adopted  
9 or certification made pursuant to section 525 of the  
10 Depository Institutions Deregulation and Monetary  
11 Control Act of 1980 (12 U.S.C. 1730g note) before  
12 the date of enactment of this Act.

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