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110TH CONGRESS
1ST SESSION

H. R. 2868

IN THE SENATE OF THE UNITED STATES

OCTOBER 24, 2007
Received; read twice and referred to the Committee on Banking, Housing, and Urban Affairs

AN ACT

To eliminate the exemption from State regulation for certain securities designated by national securities exchanges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SCOPE OF EXEMPTION FROM STATE SECURITIES REGULATION.

Section 18(b)(1) of the Securities Act of 1933 (15 U.S.C. 77r(b)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''or the American Stock Exchange, or listed, or authorized for listing, on the National Market System of the Nasdaq Stock Market (or any successor to such entities)'' and inserting '', the American Stock Exchange, or the Nasdaq Stock Market (or any successor to such entities)''; and

(B) by inserting before the semicolon the following: '', except that a security listed, or authorized for listing, on the New York Stock Exchange, the American Stock Exchange, or the Nasdaq Stock Market (or any successor to such entities) shall not be a covered security if the exchange adopts listing standards pursuant to section 19(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78s(b)) that designates a tier or segment of such securities as securities that are not covered securities for purposes of this section and such security is listed, or authorized for listing, on such tier or segment''; and

(2) in subparagraph (B), by inserting ''covered'' after ''applicable to''.

Passed the House of Representatives October 23, 2007.

Attest: LORRAINE C. MILLER,

Clerk.