

111TH CONGRESS
2D SESSION

H. R. 5249

To provide amortization authority in certain situations, for purposes of capital calculation under the Financial Institutions Examination Council's Consolidated Reports of Condition and Income.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2010

Mr. PERLMUTTER (for himself, Mr. COFFMAN of Colorado, Ms. MARKEY of Colorado, Mr. KAGEN, Mr. ETHERIDGE, Mr. CHANDLER, and Mr. DAVIS of Tennessee) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To provide amortization authority in certain situations, for purposes of capital calculation under the Financial Institutions Examination Council's Consolidated Reports of Condition and Income.

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 “Capital Access for
5 Main Street Act of 2010”.

1 **SEC. 2. COMMERCIAL REAL ESTATE LOAN LOSS AMORTIZA-**
2 **TION.**

3 (a) IN GENERAL.—For purposes of capital calcula-
4 tion under the Financial Institutions Examination Coun-
5 cil’s Consolidated Reports of Condition and Income, an in-
6 sured depository institution with assets of less than
7 \$10,000,000,000 may choose to amortize any loss or
8 write-down, on a quarterly straight-line basis over the 7-
9 year period beginning with the month in which such loss
10 or write-down occurs, incurred with respect to—

- 11 (1) a loan secured by commercial real estate; or
12 (2) other real estate owned.

13 (b) EFFECTIVE DATE.—The provisions of this sec-
14 tion shall apply with respect to capital calculations under
15 Consolidated Reports of Condition and Income made for
16 losses and write-downs referred to in subsection (a) that
17 occur during the 3-year period beginning on the date of
18 the enactment of this Act.

19 (c) DEFINITIONS.—For purposes of this section:

20 (1) INSURED DEPOSITORY INSTITUTION.—The
21 term “insured depository institution” shall have the
22 meaning given such term under section 3(c)(2) of
23 the Federal Deposit Insurance Act (12 U.S.C.
24 1813(c)(2)).

25 (2) OTHER REAL ESTATE OWNED.—The term
26 “other real estate owned” shall have the meaning

- 1 given such term under section 34.81 of title 12,
- 2 Code of Federal Regulations.

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