

Calendar No. 481

114TH CONGRESS
2^D SESSION

S. 2831

To amend the Small Business Investment Act of 1958 to provide priority for applicants for a license to operate as a small business investment company that are located in a disaster area.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2016

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

MAY 24, 2016

Reported by Mr. VITTER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Small Business Investment Act of 1958 to provide priority for applicants for a license to operate as a small business investment company that are located in a disaster area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SBIC PROGRAM FAST-TRACK APPLICATIONS.**

2 Section 301(c)(2) of the Small Business Investment
3 Act of 1958 (15 U.S.C. 681(c)(2)) is amended by adding
4 at the end the following:

5 “(C) PRIORITY FOR APPLICANTS LOCATED
6 IN DISASTER AREAS.—

7 “(i) DEFINITION.—In this subpara-
8 graph, the term ‘disaster area’ means the
9 area for which the President has declared
10 a major disaster (as defined in section 102
11 of the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act (42 U.S.C.
13 5122)), during the period of the declara-
14 tion.

15 “(ii) PRIORITY.—The Administrator
16 shall give priority to an application for a li-
17 cense to operate as a small business invest-
18 ment company that is from an applicant
19 located in a disaster area.”.

20 **SECTION 1. SBIC PROGRAM.**

21 (a) *FAST TRACK APPLICATIONS.*—Section 301(c)(2) of
22 the Small Business Investment Act of 1958 (15 U.S.C.
23 681(c)(2)) is amended by adding at the end the following:

24 “(C) PRIORITY FOR APPLICANTS LOCATED
25 IN DISASTER AREAS.—

1 “(i) *DEFINITION.*—*In this subpara-*
 2 *graph, the term ‘disaster area’ means the*
 3 *area for which the President has declared a*
 4 *major disaster (as defined in section 102 of*
 5 *the Robert T. Stafford Disaster Relief and*
 6 *Emergency Assistance Act (42 U.S.C.*
 7 *5122)), during the period of the declaration.*

8 “(ii) *PRIORITY.*—*The Administrator*
 9 *shall give priority to an application for a*
 10 *license to operate as a small business invest-*
 11 *ment company that is from an applicant lo-*
 12 *cated in a disaster area.”.*

13 (b) *MAXIMUM LEVERAGE.*—*Section 303(b)(2) of the*
 14 *Small Business Investment Act of 1958 (15 U.S.C.*
 15 *683(b)(2)) is amended by adding at the end the following:*

16 “(E) *INVESTMENTS IN DISASTER AREAS.*—
 17 *In calculating the outstanding leverage of a com-*
 18 *pany licensed under section 301(c) for the pur-*
 19 *poses of subparagraph (A), or 2 or more compa-*
 20 *nies licensed under section 301(c) for the pur-*
 21 *poses of subparagraph (B), the Administrator*
 22 *shall not include the amount equal to the cost*
 23 *basis of any investment made by the company in*
 24 *a small business concern that is located in an*
 25 *area for which the President declared a major*

1 *disaster (as defined in section 102 of the Robert*
2 *T. Stafford Disaster Relief and Emergency As-*
3 *sistance Act (42 U.S.C. 5122)) during the 1-year*
4 *period beginning on the date of the declaration.”.*

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