

[117115598]



(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To permit a registered investment company to omit certain fees from the calculation of Acquired Fund Fees and Expenses, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

Mr. SHERMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

---

**A BILL**

To permit a registered investment company to omit certain fees from the calculation of Acquired Fund Fees and Expenses, 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 “Access to Small Busi-  
5 ness Investor Capital Act”.

1 **SEC. 2. AMENDMENTS TO ACQUIRED FUND FEES AND EX-**  
2 **PENSES REPORTING ON INVESTMENT COM-**  
3 **PANY REGISTRATION STATEMENTS.**

4 (a) DEFINITIONS.—In this section:

5 (1) ACQUIRED FUND.—The term “Acquired  
6 Fund” has the meaning given the term in Forms N-  
7 1A, N-2, and N-3.

8 (2) ACQUIRED FUND FEES AND EXPENSES.—  
9 The term “Acquired Fund Fees and Expenses”  
10 means the Acquired Fund Fees and Expenses sub-  
11 caption in the Fee Table Disclosure.

12 (3) BUSINESS DEVELOPMENT COMPANY.—The  
13 term “business development company” has the  
14 meaning given the term in section 2(a) of the Invest-  
15 ment Company Act of 1940 (15 U.S.C. 80a-2(a)).

16 (4) FEE TABLE DISCLOSURE.—The term “Fee  
17 Table Disclosure” means the fee table described in  
18 Item 3 of Form N-1A, Item 3 of Form N-2, or  
19 Item 4 of Form N-3 (as applicable, and with respect  
20 to each, in any successor fee table disclosure that  
21 the Securities and Exchange Commission adopts).

22 (5) FORM N-1A.—The term “Form N-1A”  
23 means the form described in section 274.11A of title  
24 17, Code of Federal Regulations, or any successor  
25 regulation.

1           (6) FORM N-2.—The term “Form N-2” means  
2           the form described in section 274.11a-1 of title 17,  
3           Code of Federal Regulations, or any successor regu-  
4           lation.

5           (7) FORM N-3.—The term “Form N-3” means  
6           the form described in section 274.11b of title 17,  
7           Code of Federal Regulations, or any successor regu-  
8           lation.

9           (8) REGISTERED INVESTMENT COMPANY.—The  
10          term “registered investment company” means an in-  
11          vestment company, as defined under section 2(a) of  
12          the Investment Company Act of 1940, registered  
13          with the Securities and Exchange Commission under  
14          such Act.

15          (b) EXCLUDING BUSINESS DEVELOPMENT COMPA-  
16          NIES FROM ACQUIRED FUND FEES AND EXPENSES.—A  
17          registered investment company may, on any investment  
18          company registration statement filed pursuant to section  
19          8(b) of the Investment Company Act of 1940 (15 U.S.C.  
20          80a-8(b))—

21                 (1) omit from the calculation of Acquired Fund  
22                 Fees and Expenses those fees and expenses that the  
23                 investment company incurred indirectly as a result  
24                 of investment in shares of one or more Acquired  
25                 Funds that is a business development company; and

1           (2) instead disclose in a footnote to the Fee  
2       Table Disclosure those fees and expenses that para-  
3       graph (1) describes, calculated according to the Ac-  
4       quired Fund Fees and Expenses formula.

H. R. #/H. J. Res. #



Member's Signature

Brad Sherman

Member's Name (printed)

## REQUIRED STATEMENTS FOR INTRODUCTION

To accompany:

Access to Small Business Investor Capital Act

Pursuant to clause 7(c)(1) of Rule XII and Section 3(c) of H. Res. 5 the following statements are submitted regarding (1) the specific powers granted to Congress in the U.S. Constitution to enact the accompanying bill or joint resolution and (2) the single subject of the bill or joint resolution.

### Constitutional Authority Statement

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18 of the United States Constitution.

### Single Subject Statement

The single subject of this legislation is:

Financial Services

**ADD A COSPONSOR**

*Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following sponsors are hereby added to:*

CONGRESS: 118

SESSION: 1st

DATE: 03/07/2023

H.R. \_\_\_\_\_

H. Con. Res. \_\_\_\_\_

H.J. Res. \_\_\_\_\_

H. Res. \_\_\_\_\_

MEMBER NAME (PRINT)	ORIGINAL SIGNATURE	STATE
1 Bill Huizenga		Michigan
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

Primary Sponsor's Original Signature



Print Member Name Brad Sherman