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(Original Signature of Member)

111TH CONGRESS  
1ST SESSION

# H. R.

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To provide authority for certain debt refinancing with respect to financings approved under title V of the Small Business Investment Act of 1958, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. MARKEY of Colorado introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To provide authority for certain debt refinancing with respect to financings approved under title V of the Small Business Investment Act of 1958, 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. AUTHORITY TO PROVIDE CERTAIN DEBT REFI-**  
4 **NANCING.**

5 During the 2 year period beginning on the date of  
6 the enactment of this Act, any financing approved under  
7 title V of the Small Business Investment Act of 1958 (15  
8 U.S.C. 695 et seq.) may include debt refinancing relating

1 to a conventional loan that is not guaranteed by the Small  
2 Business Administration, if—

3 (1) the proceeds of the indebtedness were used  
4 to acquire land, including a building situated there-  
5 on, to construct a building thereon, or to purchase  
6 equipment;

7 (2) the existing indebtedness is collateralized by  
8 fixed assets;

9 (3) the existing indebtedness was incurred for  
10 the benefit of the small business concern;

11 (4) the financing under title V of the Small  
12 Business Investment Act of 1958 will be used only  
13 for refinancing existing indebtedness or costs relat-  
14 ing to the project financed under such title;

15 (5) the financing under such title will provide a  
16 substantial benefit to the borrower when prepayment  
17 penalties, financing fees, and other financing costs  
18 are accounted for; and

19 (6) the financing under section 504 of such title  
20 will provide better terms or rate of interest than the  
21 existing indebtedness at the time of refinancing.