

HR 757

Equitable Treatment of Investors Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Feb 17, 2011

Current Status: Subcommittee Hearings Held.

Latest Action: Subcommittee Hearings Held. (Mar 7, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/757>

Sponsor

Name: Rep. Garrett, Scott [R-NJ-5]

Party: Republican • **State:** NJ • **Chamber:** House

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Rep. King, Peter T. [R-NY-3]	R · NY		Feb 17, 2011
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Feb 17, 2011
Rep. West, Allen B. [R-FL-22]	R · FL		Apr 1, 2011
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Apr 15, 2011
Rep. Marino, Tom [R-PA-10]	R · PA		May 26, 2011
Rep. Himes, James A. [D-CT-4]	D · CT		Jun 1, 2011
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Jul 7, 2011
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Sep 15, 2011
Rep. Deutch, Theodore E. [D-FL-19]	D · FL		Feb 27, 2012
Rep. Luetkemeyer, Blaine [R-MO-9]	R · MO		Apr 16, 2012
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Apr 16, 2012
Rep. Bass, Charles F. [R-NH-2]	R · NH		Apr 24, 2012
Rep. Rigell, E. Scott [R-VA-2]	R · VA		May 15, 2012

Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Hearings By (subcommittee)	Mar 7, 2012

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
112 HR 6695	Related bill	Dec 20, 2012: Referred to the House Committee on Financial Services.

Equitable Treatment of Investors Act - Amends the Securities Investor Protection Act of 1970 to revise the definition of "net equity."

States that, in determining net equity, the positions, options, and contracts of a customer held by the debtor, and any indebtedness of the customer to the debtor, shall be determined based on: (1) the information contained in the last statement received by the customer from the debtor before the filing date; and (2) any additional specific confirmations of the customer's positions, options, contracts, or indebtedness received after such last statement but before the filing date.

Prohibits reliance on the final statement of the debtor to customer, however, if the customer: (1) knew the debtor was involved in fraudulent activity with respect to any of its customers; or (2) as a registered broker, dealer, or investment adviser under specified securities laws, or a person required to be so registered, knew, or should have known, that the debtor was involved in such a fraudulent activity and did not notify the Securities Investor Protection Corporation (SIPC), Securities and Exchange Commission (SEC), or law enforcement personnel that the debtor was so involved.

Prohibits a trustee in bankruptcy in a liquidation proceeding from recovering any property transferred by the debtor to a customer before the filing date unless, at the time of such transfer, the customer meets the same criteria.

Transfers from SIPC to the SEC authority to nominate to a court persons for appointment as trustee for the liquidation of a debtor's business and as attorney for the trustee.

Actions Timeline

- **Mar 7, 2012:** Subcommittee Hearings Held.
- **Apr 4, 2011:** Referred to the Subcommittee on Capital Markets and Government Sponsored Enterprises.
- **Feb 18, 2011:** Sponsor introductory remarks on measure. (CR E265-266)
- **Feb 17, 2011:** Introduced in House
- **Feb 17, 2011:** Referred to the House Committee on Financial Services.