

S 2502

Affordable Retirement Advice Protection Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Feb 4, 2016

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Feb 4, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2502>

Sponsor

Name: Sen. Isakson, Johnny [R-GA]

Party: Republican • **State:** GA • **Chamber:** Senate

Cosponsors (16 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cotton, Tom [R-AR]	R · AR		Feb 4, 2016
Sen. Daines, Steve [R-MT]	R · MT		Feb 4, 2016
Sen. Kirk, Mark Steven [R-IL]	R · IL		Feb 4, 2016
Sen. Wicker, Roger F. [R-MS]	R · MS		Feb 4, 2016
Sen. Alexander, Lamar [R-TN]	R · TN		Feb 8, 2016
Sen. Blunt, Roy [R-MO]	R · MO		Feb 10, 2016
Sen. Enzi, Michael B. [R-WY]	R · WY		Feb 10, 2016
Sen. Perdue, David [R-GA]	R · GA		Feb 23, 2016
Sen. Roberts, Pat [R-KS]	R · KS		Mar 8, 2016
Sen. Fischer, Deb [R-NE]	R · NE		Mar 16, 2016
Sen. Rounds, Mike [R-SD]	R · SD		Mar 17, 2016
Sen. Portman, Rob [R-OH]	R · OH		Apr 4, 2016
Sen. Inhofe, James M. [R-OK]	R · OK		Apr 11, 2016
Sen. Cassidy, Bill [R-LA]	R · LA		Apr 13, 2016
Sen. Ayotte, Kelly [R-NH]	R · NH		Apr 18, 2016
Sen. Scott, Tim [R-SC]	R · SC		Apr 20, 2016

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Feb 4, 2016

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
114 HR 4293	Related bill	Apr 20, 2016: Placed on the Union Calendar, Calendar No. 391.
114 HR 4294	Related bill	Apr 20, 2016: Placed on the Union Calendar, Calendar No. 392.
114 S 2505	Related bill	Feb 4, 2016: Read twice and referred to the Committee on Finance.

Summary (as of Feb 4, 2016)

Affordable Retirement Advice Protection Act

This bill amends the Employee Retirement Income Security Act of 1974 (ERISA) to define "investment advice," as it relates to fiduciary duties under such Act, as a recommendation that relates to: (1) the advisability of acquiring, holding, disposing, or exchanging any moneys or other property of a pension plan (or Individual Retirement Account) by the plan, plan participants, or plan beneficiaries, including any recommendation regarding whether to take a distribution of benefits from the plan or any recommendation relating to a rollover or distribution from such plan; (2) the management of moneys or other property of the plan, including recommendations relating to the management of plan assets to be rolled over or otherwise distributed from the plan; or (3) the advisability of retaining or ceasing to retain a person who would receive a fee or other compensation for providing investment advice. Investment advice must be rendered pursuant to either: (1) a written acknowledgment of the obligation of the investment advisor to act in accordance with fiduciary standards under ERISA; or (2) a mutual agreement, arrangement, or understanding that may include limitations on scope, timing, and responsibility to provide ongoing monitoring or advice services.

The bill allows an exemption from ERISA prohibited transactions rules for investment advice: (1) for which no more than reasonable compensation is paid; or (2) that is based on a limited range of investment options or may result in variable income to the investment advisor if a clearly-stated notice is provided to the advice recipient that the same or similar investments may be available at a greater or lesser cost from other sources.

The bill prohibits the Department of Labor from amending any rules or administrative positions regarding investment advice promulgated under ERISA and no such rules or administrative positions promulgated prior to the enactment date of this Act, but not effective on January 1, 2015, may become effective unless a bill or joint resolution specifically approving such rules or positions is enacted not later than 60 days after the enactment of this Act.

Actions Timeline

- **Feb 4, 2016:** Introduced in Senate
- **Feb 4, 2016:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.