

**[DISCUSSION DRAFT]**

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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

To amend the Investment Advisers Act of 1940 to limit the exemption provided for family offices from the definition of an investment adviser to those family offices with less than \$750,000,000 in assets under management, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

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**A BILL**

To amend the Investment Advisers Act of 1940 to limit the exemption provided for family offices from the definition of an investment adviser to those family offices with less than \$750,000,000 in assets under management, 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 “[To be added Act of  
5 2021]”

1 **SEC. 2. FAMILY OFFICE SIZE LIMITATION.**

2 Section 202(a) of the Investment Advisers Act of  
3 1940 (15 U.S.C. 80b–2(a)) is amended—

4 (1) in paragraph (11)—

5 (A) by striking “;” and inserting a semi-  
6 colon; and

7 (B) by striking “any family office, as de-  
8 fined by rule, regulation, or order of the Com-  
9 mission, in accordance with the purposes of this  
10 title” and inserting “any family office with less  
11 than \$750,000,000 in assets under manage-  
12 ment”;

13 (2) by redesignating the second paragraph (29)  
14 as paragraph (31); and

15 (3) by adding at the end the following:

16 “(32) FAMILY OFFICE.—The term ‘family of-  
17 fice’—

18 “(A) shall have the meaning given the  
19 term by rule, regulation, or order of the Com-  
20 mission, in accordance with the purposes of this  
21 title; and

22 “(B) does not include any person who is  
23 subject to a final order described in section  
24 15(b)(4)(H) of the Securities Exchange Act of  
25 1934 (15 U.S.C. 78o(b)(4)(H)).”.