

AMENDMENT TO THE RULES COMMITTEE PRINT

119-15

OFFERED BY M ____.

At the end of title III add the following:

1 SEC. 308. PROTECTION OF INVESTORS INTERACTING WITH
2 FINFLUENCERS.

3 The Securities and Exchange Commission shall issue
4 a rule clarifying that it is a fraudulent or deceptive course
5 of conduct under section 206(4) of the Investment Advis-
6 ers Act of 1940 (15 U.S.C. 80b–6(4)) for an investment
7 adviser (or a supervised person of an investment adviser)
8 to provide advice about securities through social media
9 without disclosing—

10 (1) any material conflicts the adviser has re-
11 garding the advice provided;

12 (2) any compensation received for the advice
13 provided;

(3) the regulatory status, educational background, and business experience (or lack thereof) of the person providing the advice; and

17 (4) that the advice is impersonal and not a sub-
18 stitute for individualized advice.

