CONSOLIDATED APPROPRIATIONS ACT, 2021 (Pub. L. 116-260)

DIVISION N—ADDITIONAL CORONAVIRUS RESPONSE AND RELIEF

Title III Continuing the Paycheck Protection Program and Other Small Business Support

SEC. 301. SHORT TITLE. This title may be cited as the ‘‘**Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act’’.**

SEC. 328. LOW-INTEREST REFINANCING.

(a) LOW-INTEREST REFINANCING UNDER THE LOCAL DEVELOPMENT BUSINESS LOAN PROGRAM.—

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(b) **Express Loan Authority for Accredited Lenders**.—

(1) IN GENERAL.—Section 507 of the Small Business Investment Act of 1958 (15 U.S.C. 697d) is amended by striking subsection (e) and inserting the following:

“(e) Express Loan Authority.—A local development company designated as an accredited lender in accordance with subsection (b)—

“(1) may—

“(A) approve, authorize, close, and service covered loans that are funded with proceeds of a debenture issued by the company; and

“(B) authorize the guarantee of a debenture described in subparagraph (A); and

“(2) with respect to a covered loan, shall be subject to final approval as to eligibility of any guarantee by the Administration pursuant to section 503(a), but such final approval shall not include review of decisions by the lender involving creditworthiness, loan closing, or compliance with legal requirements imposed by law or regulation.

“(f) Definitions.—In this section—

“(1) the term ‘accredited lender certified company’ means a certified development company that meets the requirements under subsection (b), including a certified development company that the Administration has designated as an accredited lender under that subsection;

“(2) the term ‘covered loan’—

“(A) means a loan made under section 502 in an amount that is not more than $500,000; and

“(B) does not include a loan made to a borrower that is in an industry that has a high rate of default, as annually determined by the Administrator and reported in rules of the Administration; and

“(3) the term ‘qualified State or local development company’ has the meaning given the term in section 503(e).”.

(2) PROSPECTIVE REPEAL.—Effective on September 30, 2023, section 507 of the Small Business Investment Act of 1958 (15 U.S.C. 697d), as amended by paragraph (1), is amended by striking subsections (e) and (f) and inserting the following:

"(e) Definition.—In this section, the term 'qualified State or local development company' has the meaning given the term in section 503(e).".

(c) Refinancing Senior Project Debt.—During the 1-year period beginning on the date of enactment of this Act, a development company described in title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) is authorized to allow the refinancing of a senior loan on an existing project in an amount that, when combined with the outstanding balance on the development company loan, is not more than 90 percent of the total loan to value. Proceeds of such refinancing can be used to support business operating expenses