

112TH CONGRESS  
1ST SESSION

# H. R. 3651

To amend the Truth in Lending Act to exempt certain creditors from the escrow account requirement for higher-priced mortgage loans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2011

Mr. BARROW introduced the following bill; which was referred to the  
Committee on Financial Services

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## A BILL

To amend the Truth in Lending Act to exempt certain creditors from the escrow account requirement for higher-priced mortgage loans, 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. EXEMPTION FOR CERTAIN CREDITORS.**

4 (a) IN GENERAL.—Section 129D of the Truth in  
5 Lending Act, as added by section 1461 of the Dodd-Frank  
6 Wall Street Reform and Consumer Protection Act, is  
7 amended by adding at the end the following new sub-  
8 section:

1       “(k) EXEMPTION FOR CERTAIN CREDITORS.—A  
2 creditor with less than \$1,000,000,000 in assets shall be  
3 exempt from—

4               “(1) the requirements of subsection (a) with re-  
5 spect to a consumer credit transaction secured by a  
6 first lien on the consumer’s principal dwelling with  
7 an annual percentage rate that exceeds the average  
8 prime offer rate for a comparable transaction as of  
9 the date the interest rate is set by 1.5 or more per-  
10 centage points; and

11               “(2) any other provision of this Act, to the ex-  
12 tent such provision requires the creditor to establish  
13 an escrow or impound account described under sub-  
14 section (a) with respect to a consumer credit trans-  
15 action described under paragraph (1).”.

16       (b) EFFECTIVE DATE.—Notwithstanding the date on  
17 which the other provisions of section 129D of the Truth  
18 in Lending Act take effect, section 129D(k) of the Truth  
19 in Lending Act, as added by this Act, shall take effect  
20 on the date of the enactment of this Act.

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