

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To modify the Paycheck Protection Program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. SCOTT of Florida introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To modify the Paycheck Protection Program, 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 [“\_\_\_\_\_ Act  
5 of \_\_\_\_\_”].

6 **SEC. 2. AMENDMENTS TO THE PAYCHECK PROTECTION**  
7 **PROGRAM.**

8 (a) BORROWER REQUIREMENTS.—

9 (1) IN GENERAL.—Section 7(a)(36)(G) of the  
10 Small Business Act (15 U.S.C. 636(a)(36)(G)) is  
11 amended—

1 (A) in clause (i)—

2 (i) by striking subclause (I); and

3 (ii) by redesignating subclauses (II),  
4 (III), and (IV) as subclauses (I), (II), and  
5 (III), respectively; and

6 (B) by adding at the end the following:

7 “(ii) SUBSTANTIAL REDUCTION IN  
8 REVENUE.—An eligible recipient shall not  
9 receive a covered loan unless the eligible  
10 recipient demonstrates that the eligible re-  
11 cipient has incurred a substantial reduc-  
12 tion in revenue due to COVID–19.”.

13 (2) RETROACTIVE EFFECT.—

14 (A) DEFINITIONS.—In this paragraph, the  
15 terms “covered loan” and “eligible recipient”  
16 have the meanings given the terms in section  
17 7(a)(36)(A) of the Small Business Act (15  
18 U.S.C. 636(a)(36)(A)).

19 (B) APPLICABILITY.—Each eligible recipi-  
20 ent that received a covered loan before the date  
21 of enactment of this Act, or that has an appli-  
22 cation for a covered loan pending, as of the  
23 date of enactment of this Act, shall make the  
24 demonstration required under clause (ii) of sec-  
25 tion 7(a)(36)(G) of the Small Business Act (15

1 U.S.C. 636(a)(36)(G)), as added by paragraph  
2 (1), subject to the rule or guidance issued  
3 under paragraph (3).

4 (3) RULEMAKING OR GUIDANCE.—

5 (A) IN GENERAL.—Not later than 7 days  
6 after the date of enactment of this Act, the Sec-  
7 retary of the Treasury, in consultation with the  
8 Administrator of the Small Business Adminis-  
9 tration, shall issue a rule or guidance defining  
10 a substantial reduction in revenue, as used in  
11 clause (ii) of section 7(a)(36)(G) of the Small  
12 Business Act (15 U.S.C. 636(a)(G)), as added  
13 by paragraph (1), which shall include the docu-  
14 mentation necessary to verify a substantial re-  
15 duction in revenue.

16 (B) EXEMPTION FROM RULEMAKING RE-  
17 QUIREMENTS.—The notice and comment re-  
18 quirements under section 553 of title 5, United  
19 States Code, shall not apply with respect to the  
20 rule or guidance issued under subparagraph  
21 (A).

22 (b) ADDITIONAL REQUIREMENTS FOR LENDERS.—  
23 Section 7(a)(36) of the Small Business Act (15 U.S.C.  
24 636(a)(36)) is amended by adding at the end the fol-  
25 lowing:

1           “(S) PROCESSING APPLICATIONS.—A lend-  
2           er that is approved to make covered loans shall  
3           process applications submitted by eligible recipi-  
4           ents to the lender for a covered loan on a first-  
5           come, first-served basis, without regard to  
6           whether the eligible recipient is a new or exist-  
7           ing customer of the lender or has otherwise con-  
8           ducted business with the lender.”.