

119TH CONGRESS  
2D SESSION

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

To amend title 31, United States Code, to require only foreign entities to report beneficial ownership information, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. KENNEDY (for himself, Mrs. BLACKBURN, Mr. JUSTICE, Mr. MARSHALL, Mr. LEE, Mr. SHEEHY, Mrs. CAPITO, Mr. RICKETTS, Mr. CRUZ, and Mr. BANKS) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 31, United States Code, to require only foreign entities to report beneficial ownership information, 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. BENEFICIAL OWNERSHIP INFORMATION RE-**  
4 **PORTING REQUIREMENTS.**

5 (a) IN GENERAL.—Section 5336 of title 31, United  
6 States Code—

7 (1) in subsection (a)—

8 (A) by striking paragraph (2) and insert-  
9 ing the following:

1           “(2) APPLICANT.—The term ‘applicant’ means  
2           any individual who registers or files an application  
3           to register a corporation, limited liability company,  
4           or other similar entity formed under the laws of a  
5           foreign country to do business in the United States  
6           by filing a document with the secretary of state or  
7           similar office under the laws of a State or Indian  
8           Tribe.”;

9           (B) in paragraph (3)(B)—

10           (i) in clause (iv), by striking “or” at  
11           the end;

12           (ii) in clause (v), by striking the pe-  
13           riod at the end and inserting “; or”; and

14           (iii) by adding at the end the fol-  
15           lowing:

16           “(vi) any United States person.”; and

17           (C) in paragraph (11), by striking sub-  
18           paragraph (A) and inserting the following:

19           “(A) means a corporation, limited liability  
20           company, or other similar entity that is—

21           “(i) formed under the law of a foreign  
22           country; and

23           “(ii) registered to do business in the  
24           United States by the filing of a document  
25           with a secretary of state or a similar office

1 under the laws of a State or Indian Tribe;  
2 and”; and

3 (2) in subsection (b)(2)(A)(iv)—

4 (A) in subclause (I), by striking “or” at  
5 the end;

6 (B) in subclause (II), by striking the pe-  
7 riod at the end and inserting a semicolon; and

8 (C) by adding at the end the following:

9 “(III) the foreign jurisdiction of for-  
10 mation of the reporting company; or

11 “(IV) the State or tribal jurisdiction  
12 where the reporting company first reg-  
13 isters.”.

14 (b) EXEMPTIONS.—

15 (1) DEFINITIONS.—In this subsection, the  
16 terms “beneficial owner”, “reporting company”, and  
17 “United States person” have the meanings given the  
18 terms in section 5336 of title 31, United States  
19 Code.

20 (2) EXEMPTIONS.—Notwithstanding any other  
21 provision of law—

22 (A) no reporting company shall be required  
23 to report the beneficial ownership information  
24 of any United States person who is a beneficial  
25 owner; and

1                   (B) no United States person shall be re-  
2                   quired to provide beneficial ownership informa-  
3                   tion with respect to any reporting company for  
4                   which they are a beneficial owner.

5                   (c) DELETION OF INFORMATION.—

6                   (1) IN GENERAL.—Not later than 90 days after  
7                   the date of enactment of this Act, the Financial  
8                   Crimes Enforcement Network of the Department of  
9                   Treasury shall delete all beneficial ownership infor-  
10                  mation of any United States person.

11                  (2) RETENTION.—The Financial Crimes En-  
12                  forcement Network may maintain any beneficial  
13                  ownership information relating to any person that is  
14                  not a United States person.