**A** **BILL**

TO AMEND SECTION 35‑1‑504, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FILING OF SALES AND ADVERTISING LITERATURE REGARDING SECURITIES, SO AS TO PROVIDE THAT UPON FILING, THE SALES AND ADVERTISING LITERATURE MAY BE DISTRIBUTED TO PROSPECTIVE INVESTORS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 35‑1‑504(a) of the 1976 Code, as added by Act 110 of 2005, is amended to read:

“(a) Except as otherwise provided in subsection (b), a rule adopted or order issued under this chapter may require the filing of a prospectus, pamphlet, circular, form letter, advertisement, sales literature, or other advertising record relating to a security or investment advice regarding securities, addressed or intended for distribution to prospective investors, including clients or prospective clients of a person registered or required to be registered as an investment adviser under this chapter. Upon filing, the prospectus, pamphlet, circular, form letter, advertisement, sales literature, or other advertising record relating to a security or investment advice regarding securities, may be distributed to prospective investors.”

SECTION 2. This act takes effect upon approval by the Governor.

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