

Prior law exempted Regulation A securities from a dealer's or salesman's offer of sale to sell any securities within or from the state of La. under the La. Securities Law, unless the dealer or salesman was:

- (1) Registered in the office of the commissioner pursuant to existing law.
- (2) The person is registered as a dealer pursuant to existing law.
- (3) The only clients of the person in the state of La. are investment companies as defined in the Investment Company Act of 1940 or insurance companies.

New law removes Regulation A from the exemption and requires the registration of Regulation A securities under the La. Securities Law.

New law provides the terms and conditions for registration of Regulation A securities by requiring the following:

- (1) A notice of intention to sell, executed by the issuer, any other person on whose behalf the offering is to be made, a dealer registered under existing law, or any duly authorized agent of any such person who sets forth the name and address of the applicant, the name and address of the issuer, and the title of the securities to be offered in the state of La.
- (2) A copy of the notification on Form 1-A or any form substituted therefor, and related offering circular or offering sheet, including other exhibits, filed with the Securities and Exchange Commission.
- (3) A filing fee of 1/10 of 1/100 (1%) of the aggregate price of the securities to be offered to be sold in the state of La. In no case can the fee be less than \$100 nor more than \$1,000. Additionally, there will be a charge of \$250 to be used to defray the expenses of the commissioner. All fees and charges paid in accordance with new law, whether paid at the time of filing or at the time of renewal, are to be transmitted to the state treasurer for credit to the state general fund, except that the \$250 fee required in existing law is retained by the commissioner to be used for the enforcement of provisions in both new law and existing law.
- (4) A consent to service of process in the form prescribed by existing law, executed by the person who executed the notice of intention to sell, unless the person has previously filed with the commissioner an irrevocable consent to service of process in the form prescribed by existing law (R.S. 51:718).

Registration of Regulation A securities as required in new law becomes effective when ordered by the commissioner.

Effective Aug. 1, 2014.

(Amends R.S. 51:709(5)(a)(intro. para.) and (ii); Adds R.S. 51:705(H))