SEC Staff Statement on Municipal Advisors' Role in Disclosure: Norton Rose Fulbright

On September 16, 2026, the SEC's Office of Municipal Securities (OMS) published a Statement1 explaining the legal duties of municipal advisors2 under federal securities laws when they participate in the preparation of primary or secondary market disclosure documents for municipal securities. The Statement describes circumstances under which municipal advisors can violate federal securities law as well as measures they can take to reduce exposure to violations.

The Statement notes that (a) federal securities antifraud provisions3 apply to a municipal advisor's involvement in preparing a disclosure document in connection with the purchase or sale of securities, whether or not it has agreed to provide advice with respect to the disclosure document, (b) its duties depend on its role in the disclosure process and other facts and circumstances and (c) a municipal advisor may violate the antifraud provisions if a disclosure document that it helped prepare contains a misstatement or misleading omission of a material fact and the municipal advisor is obligated to or volunteers to draft, review or edit the disclosure document and knew, or in exercising care should have known, of the misstatement or omission, even if in language provided by another.

Additionally, the Statement notes that a municipal advisor may have a fiduciary duty under Section 15B of the Exchange Act with respect to its client's disclosure, as well as a duty of care under the Municipal Securities Rulemaking Board's rules,4 which duties may heighten its liability for misstatements or misleading omissions of material facts in a disclosure document, the level of diligence required of it in helping to prepare a disclosure document and its duty to disclose potential conflicts of interest due to its business relationship with other parties to the transaction, if:

Continue reading.

Norton Rose Fulbright

Authors: Fredric A. Weber Bryon G. Farnsworth John Sivils

United States | Publication | October 2026

The Rule That Never Caught a Crook: The SEC Moves to Repeal the Pay-t--Play Rule - K&L Gates

On 3 September 2026, the Securities and Exchange Commission (SEC) proposed to rescind, in its entirety, Rule 206(4)-5 under the Investment Advisers Act of 1940 (Advisers Act), commonly known as the "pay-to-play" rule, along with the related recordkeeping requirements in Rule 204-2(a)(18).1 For more than 15 years, the rule has barred an investment adviser from receiving compensation

from a state or local government client for two years after the adviser, or certain of its executives and employees, contributes more than a small amount to an official who can influence the hiring of advisers for that client.

The SEC now says the rule operates as a de facto strict liability regime in which small "foot faults" trigger severe consequences, and it has led many firms simply to ban employee political giving. In the SEC's current view, the Advisers Act antifraud provisions, an adviser's fiduciary duty, the compliance rule, and the code of ethics rule are likely sufficient to address pay-to-play without a separate rule.2 SEC Chairman Paul Atkins put it more directly: The SEC is not the nation's elections regulator.3

This proposed rescission is important because it would replace a bright-line rule with a principles-based regime. That is largely good news, but it is not the end of pay-to-play compliance. Advisers will still need policies tailored to their own risks, and a dense web of state, local, and self-regulatory organization (SRO) requirements will remain. Advisers should therefore maintain their existing programs while the proposal is pending and, following any final rescission, carefully consider appropriate modifications rather than simply eliminating their current controls.

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The Road to the Rule: Scandals, the MSRB, and the States

"Pay-to-play" refers to making political contributions or other payments to public officials in order to win government business. The concern is simple. When contributions, rather than skill and price, drive decisions on who manages government money, in particular retirement plans, these plans may end up with weaker managers and higher fees, and the retirees and taxpayers who invest in those plans bear the cost.

The first federal approach to prohibit "pay-to-play" in the investment space came in the **municipal bond market**. In 1994, after reports that dealers were contributing to officials who could influence the choice of underwriters, the **SEC approved Municipal Securities Rulemaking Board (MSRB) Rule G-37**. Rule G-37 generally bars a dealer from doing municipal securities business with an issuer for two years after the dealer or certain of its personnel contribute to an official of that issuer. In 1995, the US Court of Appeals for the DC Circuit (DC Circuit) upheld Rule G-37 against a First Amendment challenge in *Blount v. SEC*. Rule G-37 became the template for everything that followed.

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Continue reading.

K&L Gates LLP – Thoreau A. Bartmann, Ruth E. Delaney and Lance C. Dial

Oct 30, 2026

SEC Sets 2027 Exam Priorities with Focus on Conflicts, Complex Products, and Technology - Sidley Austin

On October 23, 2026, the U.S. Securities and Exchange Commission (SEC) Division of Examinations (EXAMS) published its annual examination priorities (2027 Priorities)1 , outlining areas of perceived risk and topics on which EXAMS will focus in the new fiscal year.

Substantively, many core themes from last year's priorities carry over. The 2027 Priorities again underscore the importance of registrants' standards of care, information security, and operational resiliency as well as the risks presented by alternative and complex products and investment strategies. The 2027 Priorities also (i) reflect an increased focus on artificial intelligence (AI), which the report refers to as "super intelligence" or SI and (ii) introduce certain new areas of focus, such as advisers' reliance on proxy advisory firms and compliance with new rules or amendments to existing rules. This Sidley Update summarizes the examination focus areas across investment advisers, investment companies, broker-dealers, and other market participants, and it notes where the 2027 Priorities depart from the prior year's.2

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Supervision

A new standalone section states that EXAMS will evaluate (i) whether broker-dealers, funding portals, **municipal advisers**, and security-based swap dealers maintain supervisory systems and controls reasonably designed to achieve compliance, including for new business lines and products, and (ii) whether qualified individuals hold supervisory authority.

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Sidley Austin LLP – Kathryn L. Alessi, W. Hardy Callcott, Chuck Daly, Ranah Esmaili, Elizabeth Shea Fries, Nathan J. Greene, Kenyon Hall, Marissa L. Henry, David M. Katz, Lara Shalov Mehraban, David S. Petron, Andrew J. Sioson, Corin R. Swift, Paul M. Tyrrell and Simona K. Suh

Oct 29, 2026

SEC 2027 Examination Priorities: Key Takeaways for Fund Sponsors - Fried Frank

On October 23, 2026, the SEC's Division of Examinations ("Exams" or the "Division") published its priorities for 2027 (the "2027 Priorities").[1] The 2027 Priorities "reflect practices, products, and services that the Division believes present heightened risks to investors or to the integrity of the U.S. capital markets." Although it is not the case that these topics will be covered on every examination (or that they will operate to the exclusion of other matters), advisers that manage private funds, engage in private credit strategies, offer vehicles that make illiquid or less liquid investments — particularly when made available to retail investors — or who recommend such products to individual investors should expect that Exams will be paying close attention.[2]

In addition to the usual suspects like conflicts, valuation, marketing and fee calculations, the 2027 Priorities identify several notable areas of focus, including:

Fund- and investment-level risk disclosures, including use of debt and fund-level lines of credit, as well as compliance programs designed to address those risks

Advisers' use of proxy advisory firms

For registered funds and BDCs holding complex or illiquid investments, valuation, redemptions and disclosures regarding fund- and investment-level risks and conflicts of interest

For advisers recommending complex products to retail investors, how the adviser satisfies the duty of care and assures that advisory personnel have a full understanding of those products

Policies and procedures regarding the use of artificial intelligence ("AI")[3]

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Broker-Dealers

Financial Responsibility Rules

The Division will continue to focus on compliance with the Net Capital Rule,[9] the Customer Protection Rule and related internal processes, procedures and controls. Additionally, Exams will focus on the recent amendments to the Customer Protection Rule[10] relating to daily customer reserve computations and U.S. Treasury clearing.

Trading-Related Practices and Services

Equity and fixed-income trading practices, including routing and execution of orders and compliance with best execution obligations, remain an Exams priority. Additionally, Exams will continue to examine **municipal securities trading** with a focus on priority of orders.

Exams also noted that it is expanding its review of broker-dealer practices associated with extended hours trading, including assessing policies and procedures related to market and credit risk management and liquidity providers' ability and availability to provide liquidity on and off exchange.

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Continue reading.

Fried Frank Harris Shriver & Jacobson LLP – C. Dabney O'Riordan, Michael L. Sherman, David Solander and Christopher Staley

Nov 2, 2026

GFOA: The Pathology of Municipal Financial Crisis

Bankruptcy is rarely just about finances. Learn what Stockton's Chapter 9 case reveals about organizational health, service delivery, and the deeper factors that can push governments toward financial distress.

Municipal bankruptcy is often described as a financial event. In legal terms, that is true. In practical terms, however, bankruptcy is usually the final expression of a much deeper institutional condition. A city does not wake up one morning and become insolvent. It moves there over time, through accumulated obligations, deferred decisions, optimistic assumptions, economic shocks, political avoidance, and the gradual weakening of its ability to align promises with capacity. The City of Stockton, California's Chapter 9 bankruptcy offers an important case study in that pathology. The city filed for bankruptcy protection on June 28, 2012, and exited bankruptcy in February 2015. But the real story is larger than the filing date or the court-approved plan of adjustment. The city's experience shows how financial distress becomes organizational distress, how organizational distress becomes service-delivery distress, and how recovery requires much more than legal exit

from bankruptcy court.

DOWNLOAD

Publication Date: October 2026

Author: Harry E. Black

Explore the October Issue of GFOA's Government Finance Review.

The October issue is packed with insights to help you and your communities thrive. This month's edition features guidance on strategic planning, resetting the budget, embracing new technology, using AI responsibly, and improving risk management, along with results from GFOA's membership survey, 10 steps to better coordination between finance and procurement, member spotlights, and much more.

Read the October Issue.

MSRB: Composition of Municipal Bond ETFs and Their Growing Significance.

Read the MSRB report.

Oct 30, 2026

MSRB Publishes FY2027 Budget.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today published its fiscal year 2027 budget. MSRB's Board approved a budget of $48.0 million for FY2027, an increase of 3.7%, or $1.7 million, over FY2026. The budget is in line with inflation and aligned with the rate card fees approved by the Securities and Exchange Commission for calendar year 2027.

"Our commitment to fiscal stewardship and financial transparency has never been stronger, and stakeholder engagement was central throughout the development of this budget," MSRB Board Chair Alexander Chilton and CEO Mark Kim said in their letter to stakeholders. "We are grateful for the industry's feedback in this process, which identified opportunities to further clarify the allocation of our resources, particularly with respect to our investments in technology."

Following extensive stakeholder engagement, MSRB's Board approved the FY2027 budget at its July meeting. Based on stakeholder feedback, the resulting report includes an expanded section on MSRB's planned technology expenditures, with an estimated allocation of expenses by technology system and a detailed explanation of MSRB's technology transformation initiative, which includes development of a municipal market data repository, major cybersecurity and cloud infrastructure upgrades, and certain enhancements to the Electronic Municipal Market Access (EMMA®) website. The report also provides details on the use of organizational reserves to fund MSRB's investments in technology and other strategic priorities.

Importantly, the FY2027 budget supports ongoing efforts to modernize MSRB's rules to enhance investor and issuer protections, reduce compliance burdens for regulated entities and respond to a rapidly evolving market. Current rulemaking initiatives include a holistic look at the municipal advisor regulatory framework and targeted retrospective rule reviews of certain broker-dealer regulations.

Read the budget.

Date: October 29, 2026

Contact:
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Hawkins Update: Disclosure Obligations of Municipal Advisors and Municipal Fund Securities Disclosure

Introduction

This Hawkins Update discusses recent publications by the Securities and Exchange Commission Office of Municipal Securities staff (the "SEC", "OMS" and the "OMS Staff"), addressing disclosure undertakings and obligations of municipal advisors (the "OMS Statement")[1] and by the Municipal Securities Rulemaking Board (the "MSRB"), requesting comments on its proposal to amend MSRB Rule G-32 to permit electronic access to municipal fund disclosure documents without physical delivery (the "MSRB Request"). [2]

The Office of Municipal Securities Staff Statement

The OMS Statement follows publication by OMS earlier this year of an update to its posted frequently asked questions ("FAQs") addressing non-solicitor municipal advisors that included new specific guidance as to the scope of municipal advisory activity in the context of public-private partnerships, [3] which was discussed in the July 31, 2026 Hawkins Update.[4] As with the revisions to the FAQs, the OMS Statement addresses the scope and implications of municipal advisor activities (in this case in connection with disclosure). Each of the FAQs and the OMS Statement provides an overview of factors that OMS Staff may be expected to take into account in considering recommendations relative to enforcement or regulatory actions, rather than rules, regulations, or statements approved by the SEC that permit legal reliance.

The OMS Statement recognizes that not all municipal advisory activity requires a municipal advisor to undertake disclosure responsibilities and that not all participation in the preparation of disclosure documents by an entity that is acting as a municipal advisor in connection with the related bond issue constitutes regulated municipal advisory activity. The OMS Statement notes that MSRB Rule G-42(c) requires a municipal advisor to document its municipal advisory relationships in writing that identifies the specific municipal advisory activities that it expects to undertake and any limitations on their scope, but that the presence of limiting language in such a written statement should not be conclusive if a broader set of undertakings is evidenced by actual activities.[5] It also notes that ambiguity may arise from a written statement that is not executed and returned by the client, by subsequent oral statements that may be deemed to modify the scope of the written undertaking or

by a pre-existing course of dealing, any of which may evidence an expansion of the scope described in the written statement.[6] Accordingly, a municipal advisor's failure either to: (i) address the scope of its municipal advisory activity undertakings relative to disclosure in a writing that complies with Rule G-42(c); or (ii) maintain a scope of actual activity that is consistent with any such applicable writing may constitute both an MSRB rule violation and a factor in an OMS Staff assessment of the scope of such undertakings. Where such a writing does exist, an OMS Staff assessment of the scope of such undertakings that differs from that described in the writing may suggest a potential Rule violation, separate and apart from any disclosure issues resulting from the advisor's participation in disclosure preparation. Such an assessment might be based on evidence of actual activity, as well as the other factors noted in this paragraph.

Continue reading.

Hawkins Delafield & Wood LLP

by Kenneth Roberts, Brian Garzione, and Brandon M. Muniz

10.22.2026

SEC Proposes Expanding Securities Eligible for Cross Trading by Registered Funds: Mayer Brown

On October 9, 2026, the Securities and Exchange Commission (the "SEC") proposed amendments to Rule 17a-7 under the Investment Company Act of 1940, as amended (the "Investment Company Act"), that would expand the types of securities eligible for cross trading between registered investment companies ("registered funds") and certain affiliated persons. The proposed amendments are a welcome development for the industry, and effectively serve to reverse an unexpected regulatory development from 2020 that significantly narrowed the scope of securities eligible for Rule 17a-7 cross trading. In addition, the proposal would generally modernize the rule's requirements (which could result in more efficient portfolio management and reduced transaction costs for registered funds and their shareholders) while maintaining appropriate safeguards against conflicts of interest and affiliated-party overreach. More specifically, the proposed amendments would, among other things, permit cross trading in most securities valued using observable market inputs, including securities classified as Level 2 under the fair value hierarchy established under U.S. generally accepted accounting principles; establish alternative pricing methodologies for cross trades; reallocate the responsibilities of cross trading oversight between registered fund chief compliance officers ("CCOs") and boards of directors; and require aggregated reporting of cross-trading activity on Forms N-PORT and N-MFP.

The proposal represents a significant change for registered funds, particularly for those that invest in fixed-income securities, as well as for fund complexes that manage multiple registered funds with overlapping investment strategies and trading needs. Below we discuss the proposal and its potential implications in more detail.

Background

Section 17(a) of the Investment Company Act generally prohibits certain principal transactions between a registered investment company and its affiliated persons.1 These restrictions are intended to protect fund shareholders from overreach and self-dealing in transactions in which an

affiliate may have both the ability and the financial incentive to influence the transaction. Rule 17a-7 provides an exemption from these restrictions for qualifying cross trades subject to specified conditions.2 Historically, registered funds have relied on Rule 17a-7 to execute cross trades in certain types of both equity and fixed-income securities. Such transactions may allow affiliated funds with complementary investment needs to transact directly, avoiding certain costs associated with open-market transactions, including brokerage commissions, bid-ask spreads and market impact.

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Ed. Note: For our purposes, this article states:

Expansion of Eligible Securities

Under the proposed amendments, a security would be eligible for cross trading if there are "readily available market quotations" for the security or the security is valued using "observable inputs." The latter category would expressly include securities valued using Level 2 inputs under the fair value hierarchy, such as many fixed-income securities priced using observable market data, including prices for similar securities and other market-based inputs.4 Securities valued using significant unobservable inputs (such as Level 3 measurements) would remain outside the expanded eligibility framework. This change could restore cross-trading opportunities for a substantial portion of registered funds' fixed-income portfolios. **It may be particularly relevant to fixed-income funds, municipal bond funds and other funds that hold securities for which pricing is supported by observable market information but that do not trade in active markets with "readily available quotations."**

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Continue reading.

by Leslie S. Cruz, Brian D. Hirshberg, Adam D. Kanter, and Anna T. Pinedo

October 16, 2026

Mayer Brown LLP

The Long and Winding Road: It's Time To Cross Once Again - K&L Gates

The SEC Proposes to Fix, Improve, and Modernize Mutual Fund Cross Trading Under Rule 17a-7

Introduction

At long last, the Securities and Exchange Commission (SEC) proposed amendments to Rule 17a-7 under the Investment Company Act of 1940 (1940 Act).1 These amendments (the Proposed Amendments) would do many things, but most consequentially, the Proposed Amendments would fix the part of Rule 17a-7 that was broken with the adoption of the mutual fund valuation rule back in 2020: the effective exclusion of most fixed-income securities from the scope of Rule 17a-7.2

In addition, the Proposed Amendments would do the following:

- Allow cross trades at prices determined for net asset value (NAV) calculation purposes or current

market prices based on unaffiliated pricing sources, including pricing vendors.
- Permit funds to make de minimis payments to unaffiliated parties for transaction-related operational services.
- Impose modernized oversight requirements, including pre-trade best-interest determinations, periodic pricing reviews, and annual reviews.
- Update associated recordkeeping and reporting requirements.

These Proposed Amendments are a welcome destination for the long and winding road that has been the regulation of cross trading by registered investment companies, but they would not deliver everything. Eligibility would remain tied to US generally accepted accounting principles (GAAP) valuation concepts, creating practical questions about how firms establish that a security qualifies when a trading opportunity arises. In addition, certain gaps remain. Illiquid investments whose valuations depend on significant unobservable inputs would still be excluded, and additional control affiliations would continue to block crosses between registered funds and many affiliated private funds. While the Proposed Amendments are certainly a win for the industry, these are issues that have been raised by the industry and will likely appear in the comment file. Comments are due by 14 December 2026.3

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Ed. Note: For our purposes, this article states:

> "If adopted, the SEC's views would supersede inconsistent staff positions. The release identifies the United Municipal Bond Fund, Federated Municipal Funds, and Independent Directors Council letters, among others. Firms relying on those positions would need to assess how their programs fit within the amended framework.55"

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Continue reading.

By: Lance C. Dial, Thoreau A. Bartmann

Date: 22 October 2026

K&L Gates LLP
US Asset Management and Investment Funds Alert

MSRB Approves Interpretive Guidance for Rules G-32 and G-34 to Clarify Dealer Obligations.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) met on October 21-22, 2026, holding its first quarterly meeting of fiscal year 2027. The Board discussed several market regulation, market transparency, and public accountability initiatives, in line with MSRB's FY2026-2030 Strategic Plan.

"As we advance our retrospective rule review process to modernize MSRB's rule book, we must ensure our rules evolve with the market without losing sight of our core principles to protect

investors, issuers and the public interest," MSRB Board Chair Alexander Chilton said. "At the same time, with the continued growth in municipal market volume and enhancements in AI, it's critical that MSRB continuously upgrade the technology systems that receive, store and distribute that data to enhance market transparency for market participants, while also being responsible stewards of MSRB resources."

Market Regulation

The Board discussed ongoing retrospective rule reviews and other regulatory matters, including:

- Rule G-32 and Rule G-34: Approved the filing of interpretive guidance with the SEC to clarify the submission processes and timelines associated with Form G-32 and new issue information required under Rule G-34.
- Rule G-27: Discussed the status of MSRB dealer supervision modernization initiative, including consideration of approaches to potential further actions based on stakeholder feedback and municipal market-specific needs.
- Rulebook harmonization: Discussed FINRA's request for comment on potential amendments to its Rule 2210, on communications with the public, as an early assessment on the impact to Rule G-21, on advertising by dealers, and Rule G-40, on advertising by municipal advisors.
- Rule G-37: Continued the Board's retrospective review of Rule G-37 in light of the SEC's rule proposal to rescind its pay-to-play rule for investment advisers.
- Municipal advisor retrospective rule review: Reviewed comments on MSRB's request for comment on the potential retirement of certain financial advisory terminology and, based on stakeholder feedback, deferred proceeding with rule amendments to retire such terminology until a later phase of its retrospective rule review.

Market Transparency and Public Accountability

The Board received several updates on market transparency and public accountability initiatives, including:

- An overview of information technology and market transparency systems, and an update on MSRB's ongoing technology transformation and the phase II systems modernization project, which includes enhancements to cybersecurity, along with upgrades to MSRB's technology systems that receive, store and distribute data and documents in a secure, efficient and timely manner.
- MSRB research and analysis on the municipal market and upcoming research.
- MSRB's stakeholder engagement efforts and Board discussion around further engagement opportunities with stakeholders throughout the next fiscal year.

Date: October 22, 2026

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Utah Has Created Hundreds of Quasi-Government Agencies. Feds Say They Could 'Become a Problem.'

More than half of Utah's public infrastructure districts have not complied with state

transparency laws, and they could lead to complications as communities take on enormous debt.

In just a few years, Utah cities, counties and state agencies have created hundreds of quasi-governmental agencies led by unelected boards that approved billions of dollars' worth of debt.

That has State Auditor Tina Cannon concerned. She invited representatives of the U.S. Securities and Exchange Commission to help Utah municipalities understand what's at risk as public infrastructure districts, or PIDs, pop up in every corner of the Beehive State.

Developers may mislead local governments by asserting PIDs are the only way for important projects to get funded, Cannon and the SEC officials said. Cities and counties that approve them may see hits to their credit ratings. Homebuyers are getting saddled with unexpectedly high tax rates to help pay off all the builders' borrowing.

Continue reading.

by Leia Larsen

Oct. 20, 2026

The Salt Lake Tribune

San Diego to Leave Muni Bond Group After SEC Oversight Concerns.

Takeaways by Bloomberg AI

- The city of San Diego plans to withdraw from the California Statewide Communities Development Authority due to concerns raised by federal regulators about the organization's oversight.
- The Securities and Exchange Commission has raised concerns that joint powers authorities have largely outsourced management to consultants with fee arrangements that are not clearly disclosed to investors.
- San Diego officials stated that remaining involved in the controversy was not in the city's best interests, and that the city cannot disregard any matter that has drawn the SEC's attention.

Continue reading.

Bloomberg Politics

By Andrew Oxford

October 23, 2026

SEC Official Urges California Agencies to Review Bond Authority Risks.

A 14-project housing portfolio carried $2.5 billion in bonds, while energy prepayment bonds topped $100 billion outstanding in 2025.

A senior Securities and Exchange Commission (SEC) official urged California public agencies to scrutinize bond-issuing joint powers authorities and energy prepayment deals, warning that governance gaps and failed bond remarketing can pose disclosure and market risks.

Dave A. Sanchez, director of the SEC's Office of Municipal Securities, made the recommendations at a public-finance conference in San Francisco on Oct. 15. He said his remarks reflected his views in his official role and did not necessarily represent the views of the SEC, its commissioners or staff.

A joint powers authority brings public agencies together to exercise powers they share, such as issuing debt. California law provides a framework for agencies to form these authorities.

As of April 30, 2026, the California Community Housing Agency (CalCHA) had 14 workforce-housing projects financed with $2.5 billion in bonds. Seven projects had defaulted, used reserves to pay debt or reported another impairment. That combined count covers different signs of financial trouble; it does not mean seven projects defaulted.

In the year ended June 30, 2024, three CalCHA projects had difficulty meeting debt-service coverage requirements. Substantial doubt existed about those projects' ability to continue as going concerns. The audit opinion was not modified. The projects operate independently, and each project's bonds are tied to that project.

Sanchez warned that advisers paid fees tied to bond volume may have incentives to support deals even when another financing option would better serve an agency. He urged public officials to compare costs and fees, weigh public benefits, review an authority's default history and consider how much oversight they retain. Municipal advisers owe public-sector clients duties of care and, in most cases, loyalty.

Sanchez put outstanding energy prepayment bonds at more than $100 billion in 2025, representing over 5% of the Bloomberg Municipal Index. In these transactions, a public issuer uses bond proceeds to pay an energy supplier in advance, usually for future natural gas or electricity. Payments from a private funding recipient help service the bonds.

Many deals require bonds to be remarketed before the energy supply agreement ends. Sanchez warned that a failed remarketing during market stress could trigger termination terms, increase carrying costs or disrupt secondary-market pricing. He said the SEC does not second-guess an issuer's financial choice; its role includes ensuring issuers receive required information so they can make their own decisions.

tokenpost.com

By Riza Dagoc

Published Oct 16, 2026, 10:42 PM EDT

SEC Proposes Expanding Securities Eligible for Cross Trading by Registered Funds: Mayer Brown

On October 9, 2026, the Securities and Exchange Commission (the "SEC") proposed amendments to Rule 17a-7 under the Investment Company Act of 1940, as amended (the "Investment Company Act"), that would expand the types of securities eligible for cross trading between registered

investment companies ("registered funds") and certain affiliated persons. The proposed amendments are a welcome development for the industry, and effectively serve to reverse an unexpected regulatory development from 2020 that significantly narrowed the scope of securities eligible for Rule 17a-7 cross trading. In addition, the proposal would generally modernize the rule's requirements (which could result in more efficient portfolio management and reduced transaction costs for registered funds and their shareholders) while maintaining appropriate safeguards against conflicts of interest and affiliated-party overreach. More specifically, the proposed amendments would, among other things, permit cross trading in most securities valued using observable market inputs, including securities classified as Level 2 under the fair value hierarchy established under U.S. generally accepted accounting principles; establish alternative pricing methodologies for cross trades; reallocate the responsibilities of cross trading oversight between registered fund chief compliance officers ("CCOs") and boards of directors; and require aggregated reporting of cross-trading activity on Forms N-PORT and N-MFP.

The proposal represents a significant change for registered funds, particularly for those that invest in fixed-income securities, as well as for fund complexes that manage multiple registered funds with overlapping investment strategies and trading needs. Below we discuss the proposal and its potential implications in more detail.

Background

Section 17(a) of the Investment Company Act generally prohibits certain principal transactions between a registered investment company and its affiliated persons.1 These restrictions are intended to protect fund shareholders from overreach and self-dealing in transactions in which an affiliate may have both the ability and the financial incentive to influence the transaction. Rule 17a-7 provides an exemption from these restrictions for qualifying cross trades subject to specified conditions.2 Historically, registered funds have relied on Rule 17a-7 to execute cross trades in certain types of both equity and fixed-income securities. Such transactions may allow affiliated funds with complementary investment needs to transact directly, avoiding certain costs associated with open-market transactions, including brokerage commissions, bid-ask spreads and market impact.

However, when Rule 2a-5 under the Investment Company Act, which governs fair value determinations by registered investment companies, was adopted in 2020, it and the SEC's commentary in the adopting release, immediately eliminated the availability of Rule 17a-7 for most fixed-income securities. Rule 2a-5 addresses valuation practices and the role of the board of directors with respect to the fair value of the investments of a registered fund or business development company. The rule also sets out requirements for determining fair value in good faith for purposes of the Investment Company Act. Specifically, the rule defines "readily available market quotations" by reference to reliable, unadjusted quoted prices in active markets for identical investments that the fund can access at the measurement date. Because most fixed-income securities do not trade frequently enough to satisfy this standard, funds could no longer engage in cross trades in many fixed-income securities.3

The SEC's proposal seeks to address these limitations by modernizing Rule 17a-7 to reflect developments in market transparency, electronic trading and pricing methodologies while preserving conflict of interest protections.

Expansion of Eligible Securities

Under the proposed amendments, a security would be eligible for cross trading if there are "readily available market quotations" for the security or the security is valued using "observable inputs." The latter category would expressly include securities valued using Level 2 inputs under the fair value

hierarchy, such as many fixed-income securities priced using observable market data, including prices for similar securities and other market-based inputs.4 Securities valued using significant unobservable inputs (such as Level 3 measurements) would remain outside the expanded eligibility framework. This change could restore cross-trading opportunities for a substantial portion of registered funds' fixed-income portfolios. It may be particularly relevant to fixed-income funds, **municipal bond funds** and other funds that hold securities for which pricing is supported by observable market information but that do not trade in active markets with "readily available quotations."

The proposal does not eliminate the need for reliable pricing or appropriate valuation controls. Instead, it would expand the universe of eligible securities while continuing to rely on objective, market-based information as an important investor protection. Once the amendments become effective, the guidance on cross-trading contained in various no-action letters would be superseded by the amendments.

Continue reading.

Mayer Brown LLP – Leslie S. Cruz , Brian D. Hirshberg, Adam D. Kanter and Anna T. Pinedo

Oct 16, 2026

MSRB Announces Discussion Topics for Quarterly Board Meeting.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) will meet on October 21-22, 2026, to hold its first quarterly meeting of fiscal year 2027 to advance its FY 2026-2030 Strategic Plan.

Highlights of the Board discussion will include:

Regulatory Modernization

- Rule G-27: Discussion of potential next steps on MSRB dealer supervision initiatives and the status of harmonization efforts more generally with FINRA rules, as appropriate.
- Updates on Rule G-32 and Rule G-37 as part of MSRB's retrospective rule review.
- Further discussion of comments received on the retrospective review of the municipal advisor rules and the potential retirement of certain financial advisor terminology.

Market Transparency and Public Accountability

An overview of information technology, market transparency products and services, and an update on the ongoing systems modernization project, which includes upgrades to MSRB's technology systems to receive, store and distribute data and documents in a secure, efficient and timely manner.

MSRB Research and analysis on the municipal market and upcoming research.

MSRB Municipal Securities Market Trading Summary.

View the MSRB Market Trading Summary.

Municipal Securities Rulemaking Board

Oct. 5, 2026

MSRB Third Quarter 2026 Municipal Securities Market Summary.

Read the MSRB Summary.

Municipal Securities Rulemaking Board

Oct. 6, 2026

The Financial and Regulatory Impact of Cyberattacks on Municipal Bond Issuers: FBT Gibbons

Almost two years ago, the Township of White Lake, Michigan experienced a cyberattack while closing on the issuance of $29 million in general obligation bonds to finance new government buildings. The hackers were able to gain access to the township's email system, impersonate a government official, and send altered wire instructions to the underwriter of the bond. The attack led to the issuance being canceled, and the underwriter sued the township.

In a separate incident last year, municipal-bond offering distribution platform MuniOS was taken out of service for several days following a cyberattack. While this incident did not appear to cause delays in any deals, it required issuers to adjust to using different platforms and served as a reminder that the municipal market's digital infrastructure itself is a target.

These are not isolated incidents. Cyberattacks are a daily threat, and White Lake is not the only local government to fall victim. Ransomware attacks against state and local governments have increased steadily year over year and are using increasingly more sophisticated schemes.

Continue reading.

by Allie Butchello & Emmett M. Kelly

September 28, 2026

FBT Gibbons LLP

Understanding Inflation Indices: A GFOA Public Finance Guide

Inflation is increasingly crucial for policymakers, especially amid declining consumer sentiment and high unemployment. It introduces uncertainties in forecasting, affecting government revenues, tax rates, labor agreements, and budgets differently than costs. This impacts various public sector

areas, including infrastructure, debt servicing, and revenue forecasting. Understanding inflation indices is essential for public finance professionals. This guide will explore different inflation indices, their significance, and their effects on public finance.

Continue reading.

GASB Provides Guidance to Assist Stakeholders with Application of Statement No. 103, Financial Reporting Model Improvements

Norwalk, CT, September 24, 2026—The Governmental Accounting Standards Board (GASB) issued an Implementation Guide today containing questions and answers intended to clarify, explain, or elaborate on the requirements related to subsidies in Statement No. 103, Financial Reporting Model Improvements.

Implementation Guide No. 2026-1, *Financial Reporting Model Improvements—Subsidies*, contains seven new questions and answers that address the application of GASB requirements under Statement 103 related to subsidies. The guide also includes amendments to Question 4.5 in Implementation Guide No. 2025-1, *Implementation Guidance Update—2025*, also related to subsidies.

The GASB periodically issues new and updated guidance to assist state and local governments in applying generally accepted accounting principles (GAAP) to specific facts and circumstances that they encounter. The guidance is developed based on the following:

- Application issues raised during due process on GASB pronouncements
- Questions the staff receives throughout the year
- Topics identified by members of the Governmental Accounting Standards Advisory Council and other stakeholders.

The guidance in Implementation Guides is cleared by the Board and constitutes Category B GAAP, which is authoritative.

MSRB Discusses Key Initiatives During Board Video Conference.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) met by video conference on Thursday, September 17, 2026, for its final meeting of FY2026.

The Board discussed strategic and regulatory matters and received updates from MSRB staff on its retrospective rule review and modernization processes, including comments received on its request for comment on draft amendments to retire financial advisory terminology from MSRB's rulebook, and the Securities and Exchange Commission's recent proposal to rescind its Advisers Act Rule 206(4)-5. The Board also received staff updates on the technology upgrade to MSRB's market transparency systems and its EMMA platform's development and deployment plans.

At the final meeting for FY2026, MSRB also prepares to say farewell to its Board members concluding their terms on September 30, 2026, which include MSRB Board Chair Natasha Holiday and Vice Chair Wendell Gaertner, as well as David Belton, Warren "Bo" Daniels, and Horatio Porter.

“MSRB is grateful for the service of this distinguished class of outgoing Board members,” MSRB CEO Mark Kim said. “The dedication and commitment of this class have been exemplary, and both MSRB and the municipal market have been strengthened by their public service.”

Date: September 18, 2026

Contact:
Aleis Stokes, Chief External Relations Officer
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Municipal-Securities Advisor Takes His Jury Trial Fight to a Federal Appeals Court.

On September 17, the U.S. Court of Appeals for the Tenth Circuit heard oral arguments in *Choice Advisors, LLC, and Matthias O’Meara v. Securities and Exchange Commission*—a case that will help decide whether the SEC can strip Americans of their right to make a living through its own in-house courts.

PLF senior attorney Oliver Dunford argued before the court on O’Meara’s behalf.

How O’Meara ended up here

Matthias O’Meara founded Choice Advisors to help charter schools raise money by issuing bonds. His first two clients completed successful financings—both later stated the deals couldn’t have happened without him. None of his investors lost money, and no client complained.

Continue reading.

PACIFIC LEGAL FOUNDATION

By ALESSANDRA CARUSO

September 18, 2026
|

State Anti-ESG Laws and Local Finance: Evidence from the Municipal Bond Market

Summary

Since 2021, a growing number of states have enacted “anti-ESG” laws that prevent public entities from contracting with or investing in financial firms perceived to boycott fossil-fuel industries. Texas and Oklahoma provide two economically important early cases. Critics argued that the withdrawal of major underwriters would reduce competition and raise borrowing costs. Supporters argued that the policies protect energy producers and traditional fiduciary standards. Using data on more than 800,000 individual bonds from 2007 to 2024, with the pre-policy years used to assess trends and

construct comparison groups, this Backgrounder finds no consistent evidence that the laws increased municipal borrowing costs or primary-market markups. The results indicate that municipal markets adjusted to changes in underwriter participation without sustained financial penalties.

Key Takeaways

- No consistent or statistically significant evidence exists that anti-ESG laws have raised borrowing costs. Offering yields in Texas and Oklahoma remained stable.
- Anti-ESG laws also did not result in an increase in primary-market markups, suggesting that transaction costs for investors were not meaningfully affected.
- Policymakers should note that predictions of substantial borrowing cost increases have not held up under more comprehensive analysis.

Continue reading.

The Heritage Foundation

by Christos Makridis

September 18, 2026

GASB Seeks Comment on Voluntary Digital Financial Reporting Discussion Memorandum.

Norwalk, CT, September 9, 2026—The Governmental Accounting Standards Board (GASB) is seeking comment on a Discussion Memorandum that explores the design of the GASB-GAAP Taxonomy, one pathway to digitization of governments' financial statements based on existing GASB reporting requirements.

The Discussion Memorandum, *Voluntary Digital Financial Reporting—Structural Design*, is a staff document designed to seek feedback at an early stage in the project. It seeks stakeholder feedback on how the taxonomy was organized to enable digitization of financial statements and asks respondents to comment on key taxonomy design considerations intended to help shape future voluntary digital financial reporting for state and local governments. These considerations include:

- Organization of GASB reporting requirements
- Incorporation of existing optionality in GASB standards
- Incorporation of observed practice regarding presentation of financial statements, and
- Incorporation of government-specific information in financial statements.

The project is designed to improve access to governmental financial information for users of financial statements. It is being developed through two tracks. The first track is preparer-focused and devoted to developing a taxonomy for GAAP financial statements—the focus of this Discussion Memorandum. The second track is user-focused and seeks to improve how data is extracted from and normalized through the taxonomy.

The document does not propose new accounting standards or reporting requirements. Rather, it seeks input on the foundational structure of a taxonomy intended to support the digital representation of information currently reported in government financial statements while maintaining the reliability of the reported information and its reliance on Generally Accepted

Accounting Principles (GAAP).

Share Your Views

Stakeholders are asked to review the document and provide input to the GASB by November 30, 2026. Comments may be submitted either in writing and addressed to the Director of Research and Technical Activities, who may be emailed at director@gasb.org, or through an electronic input form.

MSRB Seeks Comment on Draft Amendments to Modernize Dealer Disclosure Obligations for Municipal Fund Securities.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today published a request for comment (RFC) regarding draft amendments to MSRB Rule G-32, on disclosures in connection with primary offerings. The draft amendments modernize dealers' disclosure obligations for municipal fund securities offerings, including state-sponsored 529 savings plans, ABLE programs, and local government investment pools. These amendments also advance MSRB's objective of modernizing municipal fund securities regulation as outlined in its FY2026-2030 strategic plan.

In the draft amendments, the current requirement for physical delivery by dealers of disclosure documents in connection with the offering of municipal fund securities is replaced with an electronic access standard. The amendments would extend to municipal fund securities the current standard for access to official statements for municipal debt securities through the MSRB's Electronic Municipal Market Access (EMMA®) website.

"Updating and harmonizing the delivery method of disclosure documents for municipal fund securities with MSRB's current access equals delivery standard for bonds and other municipal debt securities aligns with our goal of ensuring MSRB rules are consistent with the evolution of the market and current practices," MSRB Chief Regulatory and Policy Officer Ernesto Lanza said. "We look forward to receiving stakeholder comments, which will inform our proposal and next steps in modernizing this important segment of the municipal securities market."

Comments should be submitted no later than December 14, 2026.

Read the RFC to learn more.

Date: September 10, 2026

Contact:
Aleis Stokes, Chief External Relations Officer
202-838-1500
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Miller Canfield: Housing Finance - When Helping a Deal Can Cross a Regulatory Line.

Communities are increasingly using creative financing to produce attainable and "missing middle" housing. These projects often bring together many parties in many roles: developers, municipalities,

housing and economic-development professionals, consultants, lenders and investors. Municipal bonds are a frequent source of partial financing for these projects, particularly as they are a prerequisite to qualify for the tax credit that attracts equity investors.

A recent Securities and Exchange Commission (SEC) enforcement action is an important reminder: helping assemble a housing financing can sometimes cross into regulated securities activity.

What happened?

On August 21, 2026, the SEC announced a settled enforcement action against R4 Capital Funding LLC involving 31 municipal bond offerings that raised more than $1.16 billion for 27 affordable multifamily housing developments.

According to the SEC, R4 worked with developers on bond structure and pricing, solicited investors, advised investors concerning the bonds, and received transaction-based compensation. The SEC concluded that R4 was acting as an unregistered broker..

Continue reading.

by: Glenn E. Weinstein, Matthew P. Allen, Michael P. McGee,

Thursday, September 4, 2026

Miller Canfield

GASB Podcast: Cybersecurity Disclosures Research

In this episode, host Matt Broder speaks with Joel Black, GASB chair, and Joseph Wicklund, GASB project manager, about the GASB's research on cybersecurity disclosures. They discuss why the research was undertaken, the key findings, and how the results informed the Board's decision making.

Click here to learn more and to listen to the podcast.

MSRB Announces Discussion Topics for Board Video Conference.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) will meet by video conference on Thursday, September 17, 2026, for its final meeting of FY2026.

The Board will discuss and receive updates on several areas, including the following:

- Ongoing regulatory modernization initiatives
- The enhanced EMMA platform and its deployment plan
- Its annual review of certain Board policies and committee charters

Date: September 14, 2026

Contact:

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202-838-1500
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Financing Company Settles SEC Charges Over Unregistered Municipal-Bond Brokerage Activity.

The respondent provided broker services in connection with 31 municipal bond offerings, but was not registered with the Commission.

A provider of financing for affordable housing settled SEC charges that it acted as an unregistered broker in connection with over $1.16 billion in municipal bond offerings. According to the Commission R4 Capital Funding provided a range of broker services to institutional investors over a five-year period in connection with 31 municipal bond offerings and received transaction-based compensation. The Commission found that R4 acted as an unregistered broker, and to settle the charges, the firm agreed to a cease-and-desist order and to pay a $100,000 civil penalty (R4 Capital Funding LLC , Exchange Act Release No. 106171 (Aug. 21, 2026)).

Respondent R4 Capital Funding is a New York-based LLC engaged in facilitating financing for affordable multifamily housing development projects. According to the Commission, between June 2020 and December 2025, R4 raised over $1.16 billion via thirty-one municipal bond offerings to finance 27 low-income multifamily housing development projects.

Continue reading.

vitallaw.com

By Rodney F. Tonkovic, J.D.

Aug 25, 2026

Proposed Amendments to MSRB Rule G-27: SIFMA Comment Letter

Summary

SIFMA 1 provided comments to the U.S. Securities and Exchange Commission (SEC) in support of the MSRB's proposal to amend MSRB Rule G-27 to exclude certain public finance activities from the term "structuring of public offerings or private placements," extend the length of the exclusion for non-primary residences from the municipal branch office designation, and make a technical update to the Rule's title. 2

Excerpt

SIFMA applauds the MSRB's forward-thinking efforts to modernize its rules to reduce undue compliance burdens on regulated entities while continuing to provide appropriate investor and issuer protections. In furtherance of this goal, the MSRB should work towards eliminating all location-based concepts of supervision, recognizing that functional-based supervision comports with

how business and supervision is conducted today and how regulators operate in the current electronic workplace.2

I. The SEC Should Approve the MSRB's Draft Amendments to Rule G-27

a. The SEC Should Approve the MSRB's Proposal that Increases the Length of the Exclusion from the Municipal Branch Office Registration for Locations Other than a Primary Residence from 30 to 90 Business Days

The SEC should approve the MSRB's draft amendments that increase the 30-business day exclusion from the municipal branch office registration for locations other than a primary residence to 90 days. As stated above and discussed below in greater detail, SIFMA believes that Rule G-27 should not be location-based at all, but expanding this exclusion in any way is helpful to those that work remotely from locations other than their primary residence. SIFMA also feels strongly that the expansion of the exclusion would not reduce issuer and investor protections.

b. The SEC Should Approve the MSRB's Proposal to Define "Excluded Public Finance Activities" in Proposed Supplementary Material

SIFMA believes that this amendment, which excludes certain structuring activities from the requirement to register a location as an Office of Municipal Supervisory Jurisdiction (OMSJ), is a significant positive development. Structuring commonly occurs at a client site, while traveling, or otherwise away from an OMSJ, rendering the location-based requirement anachronistic in today's municipal securities business.

It is important for MSRB rules to be neutral as to business model or structure. SIFMA appreciates the MSRB's revision to its proposal that reflects that broker-dealers operate under a variety of business models, structures and processes, many of which impact what is deemed "final approval" of a transaction by a broker-dealer.

This action demonstrates that efficient markets can outweigh harmonization with other regulators or regulatory regimes in certain circumstances. SIFMA does, however, urge FINRA to move forward with similar rule changes updating their rules to reflect the modern workplace, and for the SEC to approve such changes.

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1. SIFMA is the leading trade association for broker-dealers, investment banks and asset managers operating in the U.S. and global capital markets. On behalf of our industry's nearly 1 million employees, we advocate for legislation, regulation and business policy, affecting retail and institutional investors, equity and fixed income markets and related products and services. We serve as an industry coordinating body to promote fair and orderly markets, informed regulatory compliance, and efficient market operations and resiliency. We also provide a forum for industry policy and professional development. SIFMA, with offices in New York and Washington, D.C., is the U.S. regional member of the Global Financial Markets Association (GFMA).

2. 91 Fed. Reg. 49460 (Aug. 4, 2026).

Read the SIFMA Comment Letter.

August 25, 2026

MSRB: Analysis of Municipal Securities Trade Reporting Times, 2022-2025

Read the MSRB Report.

August 26, 2026

Can Investors Price the Risk? Assessing Municipal Bond Climate Disclosure and Financial Resilience.

This new first-of-its-kind report finds that municipal bond disclosures are not consistently providing investors with the information they need to assess and price climate-related financial risks, including those associated with extreme weather.

Our report analyzed 60 recent bond offerings from issuers in 20 U.S. metropolitan areas with the highest physical-risk exposure, among the 50 most populated, based on Cotality's Comprehensive Climate Risk Analytics.

Key findings include:

- **33% of the sampled bond offerings make no mention of climate or extreme weather risk.**
- Only 12% of bonds provide the quantitative metrics or targets that help investors evaluate how climate risks are measured and managed, and just 15% disclose who is accountable for managing that risk.
- **Many municipalities are already investing in resilience but aren't getting credit for it.** Issuers taking steps such as relocating wastewater treatment plants out of floodplains often don't reflect that work in their official bond statements, leaving investors unable to price in the risk reduction.
- **Generic, boilerplate language dominates**, even in jurisdictions with well-documented, location-specific hazards. For example, Phoenix, Arizona which faces the highest number of projected annual heatwave days among large U.S. metro areas, made only passing reference to heat mitigation in its 2024 bond offering.
- **Disclosures look backward rather than forward**, even though municipal bonds typically run 20 to 30 years. Issuers frequently detail past disasters but rarely provide forward-looking analysis of future exposure or financial impact.
- **Bonds facing similar climate risks can receive very different levels of disclosure**, even when issued in the same county, creating an inconsistent picture for investors trying to compare risk across issuers.

Continue reading.

Download report.

ceres.org

August 18, 2026

It’s Election Season: Investment Advisers Beware of the SEC Pay-to-Play Rule

With highly contested midterm elections less than three months away, investment advisers must be aware of, and pay close attention to, the Securities and Exchange Commission’s (SEC) pay-to-play rule governing their business, SEC Rule 206(4)-5. The rule provides that when investment advisory firms and their covered associates make political contributions to certain candidates, the firms are prohibited from providing services for compensation to the governmental entities that the candidates can control or exert influence over. The rule also prohibits solicitations of contributions to these candidates and political parties, the violation of which is subject to substantial penalties. This article focuses on the key aspects of SEC Rule 206(4)-5, whose application to the rough and tumble world of political fundraising is notoriously complex.

Those who work in the financial industry should also be aware of the following additional four pay-to-play rules, which are similar to SEC Rule 206(4)-5:

1. Municipal Securities Rulemaking Board Rule G-37, which applies to brokers, dealers, municipal securities dealers, and municipal advisers.
2. Financial Industry Regulatory Authority Rule 2030, which applies to covered members of FINRA that are broker-dealers acting as placement agents for an investment adviser.
3. Commodity Futures Trading Commission Rule 23.451, which applies to non-security-based swap dealers.
4. SEC Rule 240.15Fh-6, which applies to security-based swap dealers.

Continue reading.

FBT Gibbons LLP – Steven H. Sholk

August 20 2026

How State Legislatures, Attorneys General and Foreign Regulators are Rewriting the Rules on Climate Disclosure.

In summary

The US climate-disclosure landscape is becoming more fragmented and multi-directional. While the SEC has moved to rescind its federal climate-disclosure rules, several states are pursuing their own mandatory reporting regimes, and others are advancing anti-ESG legislation that seeks to restrict or penalise certain sustainability-related activity. At the same time, state attorneys general are increasingly active in scrutinising ESG claims, investment practices and public-facing disclosures.

For companies operating across multiple jurisdictions, the practical challenge is no longer whether climate-related disclosure obligations may apply, but how to identify, reconcile and manage overlapping requirements across state, federal and international frameworks. A coordinated approach to compliance mapping, disclosure review, governance and monitoring will be essential to mitigate legal, regulatory and reputational risk in this rapidly evolving environment.

Continue reading.

by Joel M Cohen, Maria Beguiristain, Taylor Pullins, Marietou Diouf, Taylor Gillespie, Gabriella Margaux Pérez Klein, *White & Case*

This is an extract from the 2027 of Americas Investigations Review. The whole publication is available here.

This is an Insight article, written by a selected contributor as part of GIR's co-published content. Learn more about Insight.

Global Investigations Review

August 14, 2026

NFMA Releases Draft Recommended Best Practices in Disclosure for Special Property Tax and Special Assessment Debt Transactions.

The NFMA released the draft Recommended Best Practices in Disclosure (RBP) for Special Property Tax and Special Assessment Debt Transactions for **public comment through October 15, 2026**. This paper supplants an RBP for Land Secured Debt Transactions that was the first disclosure paper issued by the NFMA as it initiated this effort in 2000.

To view the paper, click here.

To read the press release, click here.

National Federation of Municipal Analysts

Aug 19, 2026

MSRB Announces Members of Glossary Working Group.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today announced the members of its glossary working group, which will be responsible for updating the MSRB Glossary of Municipal Securities Terms. Ten experienced market professionals, including members representing broker dealers, municipal advisors, issuers and investors will work alongside MSRB staff on the publication's fourth edition.

"The MSRB Glossary of Municipal Securities Terms is a popular resource available for free to the investing public," MSRB CEO Mark Kim said. "We greatly appreciate the market knowledge and industry expertise of the members of our working group to keep this valued resource current and relevant for a rapidly evolving municipal securities market."

Working group members for the fourth edition of the MSRB Glossary of Municipal Securities Terms include:

- **Jackie Abraham** – Director & Chief Compliance Officer, MuniCap, Inc.
- **Elyse Andrews** – Chief Compliance Officer, Fiscal Advisors & Marketing, Inc.
- **Scott Casimiri** – Director, Fixed Income Compliance, Raymond James & Associates

- **Darci Doneff** – former Managing Director, Fixed Income Trading, Piper Sandler (retired)
- **Kim Garland** – Deputy Chief Financial Officer, Great Lakes Water Authority
- **Dan McManus** – Deputy General Counsel, Head of Municipal Securities Legal & Compliance, Stifel Financial Corp.
- **Thalia Meehan** – former Managing Director, Putnam Investments (retired), and former MSRB Board member
- **Mark Pascarella** – Director of Debt Management, Indiana Finance Authority
- **Ricardo Salazar** – Director, Public Finance, Cabrera Capital Markets
- **Jade Turner-Bond** – Partner, Orrick, Herrington & Sutcliffe LLP

First published in 1985, MSRB's glossary provides investors, other market participants and the general public with a basic understanding of commonly used municipal securities market terminology.

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The Municipal Securities Rulemaking Board (MSRB) was established by Congress in 1975 with the mission to protect investors, issuers and the public interest in a fair and efficient market. MSRB is a private, self-regulatory organization governed by an independent board of directors with market knowledge and expertise. MSRB does not receive federal appropriations and is funded primarily through fees paid by regulated entities. MSRB is overseen by Congress and the Securities and Exchange Commission.

MSRB Proposes to Expand Remote Work: Norton Rose Fulbright

The MSRB proposed amendments to its dealer supervision requirements that would not require certain public finance activities to be conducted in a supervisory office and would extend the time associated persons can work from non-primary residences.

In the proposal, the MSRB stated the amendments to MSRB Rule G-27 ("Supervision") are intended to provide greater flexibility to dealers and their associated persons with respect to hybrid work arrangements. The filing follows a request for comment issued earlier this year (see prior coverage).

The proposed amendments would add supplementary material clarifying the term "structuring of public offerings or private placements." By narrowing what qualifies as structuring, the proposal would exclude certain public finance activities—such as debt modeling, financial analysis, and solicitation of issuers—from the requirement that they be conducted in an office of municipal supervisory jurisdiction. The final approval of a public offering or private placement transaction would still constitute structuring and require office of municipal supervisory jurisdiction designation.

The proposal would also extend the exclusion from municipal branch office designation for non-primary residences from less than 30 business days per calendar year to up to 90 business days per calendar year.

The filing includes a technical update to change the title of the supervision rule to "Supervisory and Compliance Obligations of Brokers, Dealers and Municipal Securities Dealers."

The SEC will publish the proposal in the Federal Register for public comment.

Norton Rose Fulbright US LLP

July 28 2026

Hawkins Update: Tender Offers, Municipal Advisor FAQs, and Tokenization

Introduction

This Hawkins Update describes (i) a recent exemptive order from the Securities and Exchange Commission (the "SEC") on tender or exchange offers for non-convertible debt securities[1] and (ii) new frequently asked questions related to municipal advisors issued by the SEC's Office of Municipal Securities[2]. This Hawkins Update also looks at developments in blockchain technology and the tokenization of municipal bonds.

SEC Exemptive Order on Corporate Tender Offers

Federal Regulations 14D and 14E,[3] which are applicable to non-exempt corporate securities, generally provide that a tender offer should remain open for a minimum of 20 business days, but such period has been shortened from time to time in SEC no-action letters and other guidance. The primary no-action letter on abbreviated offering periods was issued by the SEC in January 2015 (the "2015 No-Action Letter") and indicated that "[the SEC would] not recommend enforcement action under [the tender offer rules] if an offeror conducts a tender offer for non-convertible debt securities with a minimum offering period of five business days," provided that certain criteria set forth in the letter were met.[4]

On June 30, 2026, the SEC issued its "Exemptive Order for Tender or Exchange Offers for Non-Convertible Debt Securities" (the "2026 Exemptive Order"), which formalizes guidance that was contained in the 2015 No-Action Letter and in previously issued no-action letters as to the preconditions applicable to shortened offering periods for tender offers for non-convertible corporate debt securities. In issuing the 2026 Exemptive Order, the SEC noted that it:

Continue reading.

Hawkins Defafield & Wood LLP

by Brian Garzione & Kenneth Roberts

07.31.2026

Where Does it Go? Using a Decision Tree to Apply GASB 103 Proprietary Funds - GFOA

GASB Statement No. 103, *Financial Reporting Model Improvements*, represents one of the most significant changes to proprietary fund financial reporting since at least the issuance of GASB Statement No. 34, Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments. A central feature of Statement No. 103 is the refinement of how governments distinguish operating revenues and expenses from nonoperating revenues and expenses, along with the introduction of a formal definition of subsidies, both applicable to proprietary funds.

While the revised definitions are intended to improve consistency and comparability across governments, many practitioners have found implementation challenging, particularly when evaluating complex or nontraditional transactions. During GFOA's recent GASB 103 webinars, participants submitted questions relating to the standard in practice. Most questions involved the proper classification of transactions in accordance with the new requirements.

DOWNLOAD

Government Finance Officers of America

Publication Date: June 2026

Authors: Anne Fritz, CPFO and Michele Mark Levine

SEC Proposes Regulation E-Delivery: Default Electronic Delivery for Federal Securities Law Communications - Patterson Belknap

On July 16, 2026, the U.S. Securities and Exchange Commission (the "SEC" or "Commission") proposed Regulation E-Delivery[i], a new regulatory framework that would permit covered entities to deliver required information to investors and other recipients electronically as the default method, without first obtaining affirmative consent. In an accompanying statement, SEC Chairman Paul S. Atkins characterized the proposal as "an important step toward allowing the financial services industry to harness technology for the benefit of everyday American investors" and "another stride toward a regulatory framework suitable for the modern era."[ii]

Proposed Regulation E-Delivery would establish uniform conditions under which the federal securities laws' information delivery requirements are satisfied by electronic delivery. The proposal would generally supersede the Commission's 1995[iii] and 1996[iv] e-delivery guidance and apply to all SEC-regulated entity types, including public and private issuers (including 'foreign private issuers'), registered investment companies, broker-dealers, investment advisers, transfer agents, and numerous other market participants.

Comments on the proposal are due by September 21, 2026. The Commission proposes a two-year compliance period following any final rule adoption.

Overview of the Proposed Framework

Regulation E-Delivery would address only the procedural aspects of electronic delivery and would not otherwise alter substantive rights or liabilities under the federal securities laws. The framework rests on several core concepts described below.

Covered Entities

A "covered entity" would be any person required to deliver covered information to a covered recipient under the federal securities laws. The breadth of this definition encompasses virtually all SEC-regulated participants, including:

- Public and private issuers with delivery obligations under the Securities Act of 1933, as amended (the "Securities Act") or the Securities Exchange Act of 1934, as amended (the "Exchange Act");
- Issuers with registered classes of securities or Exchange Act reporting obligations;

- Obligors and trustees under qualified indentures;
- Registered investment companies and business development companies;
- Registered broker-dealers, **municipal securities dealers**, government securities brokers and dealers;
- Security-based swap dealers and major security-based swap participants, security-based swap execution facilities, and security-based swap data repositories;
- Registered investment advisers;
- Registered transfer agents and funding portals; and
- Third parties such as bidders in third-party tender offers and dissidents in contested proxy solicitations.

Continue reading.

Patterson Belknap Webb & Tyler LLP – Herman H. Raspé, Jean-Claude Lanza and Michael Farinacci

July 29 2026

SEC Proposes "Regulation E-Delivery": Hunton Andrews Kurth

On July 16, 2026, the US Securities and Exchange Commission (Commission) proposed sweeping changes to its rules regarding electronic delivery of information to investors. Applicable to a wide variety of Commission-regulated entities, the proposed rules set forth the conditions and circumstances under which "covered entities" would be permitted to use e-delivery to deliver "covered information" to "covered recipients" without first obtaining their affirmative consent. If adopted in a subsequent rulemaking, Regulation E-Delivery would become the primary framework governing electronic delivery under the federal securities laws, while prior interpretive guidance would remain effective only to the extent it is not expressly superseded. Notably, the proposal falls short of a complete "access equals delivery" model, in which a recipient is deemed to have received a given document once it is posted online without further notice.

Background

Under the Commission's current regulatory framework, required disclosures and reports generally continue to be delivered in paper form unless the recipient affirmatively elects electronic delivery. Instead, the proposed regulation would replace the Commission's longstanding guidance-based approach, which has largely operated as an "opt-in" system, with a rule-based framework permitting electronic delivery without prior affirmative consent, subject to specified conditions. The Commission emphasizes that the proposed regulation addresses only procedural aspects of electronic delivery under the federal securities laws and, except as expressly provided, would not alter substantive rights or obligations established elsewhere under those laws.

The Commission notes that electronic communications have become substantially more prevalent through the widespread use of smartphones, tablets, cloud-based storage, artificial intelligence, blockchain technology, and distributed ledger systems used in securities offerings and transfers. The Commission further states that financial industry participants have repeatedly requested modernization of the existing electronic delivery framework through comments submitted in rulemaking proceedings and other communications with the Commission.

…….

> The proposal would apply to “covered entities,” “covered recipients,” and “covered information.” The Commission explains that these defined terms are intended to encompass the broad range of participants involved in securities transactions and required regulatory communications. Covered entities generally include persons having an obligation under the federal securities laws to deliver required information, and would include issuers, registered broker-dealers, registered investment advisers, registered investment companies, business development companies, transfer agents, indenture trustees, **municipal securities dealers**, funding portals, and certain other securities intermediaries. Covered recipients generally include current or prospective customers, clients, investors, security holders, counterparties, and similar persons entitled to receive regulatory information. Covered information generally consists of information that the federal securities laws require to be delivered.

…….

Continue reading.

Hunton Andrews Kurth LLP – Scott H Kimpel and Mayme Beth F. Donohue

July 24 2026

MSRB Municipal Securities Market Trading Summary through July, 2026.

Last Updated: August 4, 2026

View the MSRB Market Summary.

August 4, 2026

Court Affirms SEC Win Against Muni Adviser in Fee-Splitting Case: Norton Rose Fulbright

A unanimous Ninth Circuit panel affirmed summary judgment and all remedies against a municipal advisory firm and its principal for entering a prohibited fee-splitting arrangement with a bond underwriter in violation of MSRB rules.

A Ninth Circuit three-judge panel affirmed a lower court’s holding that the muni advisor’s agreement with the underwriter – splitting the underwriter’s fee for each referred client – constituted an illegal fee-splitting arrangement under MSRB Rule G-42 (“Duties of Non-Solicitor Municipal Advisors”). Under Rule G-42(a)(ii), a municipal advisor is bound by a fiduciary duty to its client. In addition, Rule G-42(b)(i)(B) requires the advisor to disclose all material conflicts of interest, including any payments made to secure or maintain an engagement to provide municipal advisory services to that client. The panel held that Rule G-42(e)(1)(D) broadly prohibits any fee-splitting arrangement between a municipal advisor and an underwriter regardless of payment structure. The arrangement created a self-interested incentive to steer clients toward a particular underwriter – precisely the conflict the rule targets.

The panel upheld disgorgement of fees received for unregistered advisory services.

Norton Rose Fulbright US LLP

July 22 2026

NFMA Comments on GASB Exposure Draft, Infrastructure Assets.

On June 26, 2026, the NFMA submitted a comment letter to the GASB on it's Exposure Draft, *Infrastructure Assets*.

To read the letter, click here.

National Federation of Municipal Analysts

MSRB Hosts Muni Finance Day with Chicago Summer Business Institute.

Rep. LaHood and municipal securities industry leaders share insight with Chicago high school students

Washington, DC – The Municipal Securities Rulemaking Board (MSRB) today hosted its fifth Muni Finance Day in partnership with the Chicago Summer Business Institute (CSBI), a program for Chicago high school students interested in careers in financial services.

"We are pleased to once again collaborate with CSBI to highlight the critical role municipal bonds serve in America's communities and our economy, while inspiring the next generation of public finance professionals," MSRB Chief External Relations Officer Aleis Stokes said. "I am grateful to Congressman LaHood and to each of our distinguished speakers for sharing their personal stories and career advice with these promising high school students."

Muni Finance Day speakers included:

- **Congressman Darin LaHood** (R-IL), 16th District of Illinois
- **Dave Sanchez**, Director, Office of Municipal Securities, Securities and Exchange Commission
- **Nancy Feldman**, Chief of the Division of Fiscal Management, Montgomery County, Maryland, and MSRB Board member
- **John Bagley**, MSRB Chief Market Structure Officer

The Chicago Summer Business Institute was founded in 1991 to provide paid summer internships for Chicago high school students and to introduce them to the financial services sector. CSBI's mission is to provide participants with an incentive to continue their education while preparing them for the business world.

"We thank MSRB for its partnership and ongoing support of CSBI's summer intern program," CSBI Executive Director Julia King said. "Today's event exposed students to a variety of perspectives from across the public finance industry and helped them understand how a career in public finance can be both impactful and rewarding."

The Municipal Securities Rulemaking Board (MSRB) was established by Congress in 1975 with the mission to protect investors, issuers and the public interest in a fair and efficient market. MSRB is a private, self-regulatory organization governed by an independent board of directors with market knowledge and expertise. MSRB does not receive federal appropriations and is funded primarily through fees paid by regulated entities. MSRB is overseen by Congress and the Securities and Exchange Commission.

Date: July 24, 2026

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MSRB Approves FY2027 Budget, MSRB Rule G-27 Filing, and Elects Board Leadership at Quarterly Board Meeting.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) met on July 22-23, 2026, to hold its final quarterly meeting of fiscal year 2026. The Board approved MSRB's FY2027 budget, elected FY2027 Board leadership and new Board members, and discussed several initiatives to advance regulatory modernization, market transparency and public accountability as outlined in its FY2026-2030 strategic plan.

FY2027 Budget

The Board approved a $48.0 million budget for FY2027, representing an increase of 3.7% compared to MSRB's FY2026 budget. MSRB staff worked with the Board through a comprehensive process to develop this budget, which supports the FY2026-2030 strategic plan. A more detailed budget summary, with MSRB's projected expenses, revenues and reserve levels, will be published in October at the beginning of the fiscal year.

"MSRB's FY2027 budget is essentially flat, accounting for inflation, and aligned with our SEC-approved rate card fees for 2027," MSRB Board Finance Committee Chair Alexander Chilton said. "MSRB's commitment to public accountability through fiscal responsibility and transparency have remained central to our efforts as we offset primary cost drivers of personnel and technology expenses with expense savings in other operating areas."

As part of its commitment to financial transparency, MSRB held conversations with stakeholders in April to review FY2026 fiscal year to date budget to actual revenues and expenses, as well as to preview the draft budget for FY2027. MSRB subsequently met with stakeholders in June to provide a more detailed overview of the draft FY2027 budget, soliciting feedback prior to Finance Committee approval, and ultimately, Board approval of the budget.

"We thank stakeholders for their engagement throughout the FY2027 budget process and look forward to releasing our annual budget in October to provide further transparency to the market," Chilton said.

Board Leadership

The Board held FY2027 officer elections and considered candidates to fill vacancies on the Board.

The Board elected Alexander Chilton, Managing Director, Head of Municipal Securities at Morgan Stanley to serve as FY2027 Chair of the Board and Pamela M. Frederick, Chief Financial Officer and Treasurer of the Battery Park City Authority in New York, NY, to serve as Vice Chair. Officer terms are for one year and begin on October 1, 2026. The terms of MSRB's outgoing Chair Natasha Holiday and Vice Chair Wendell Gaertner end on September 30, 2026.

"I am delighted to welcome Alex and Pam as our incoming Chair and Vice Chair," MSRB CEO Mark Kim said. "Their service on MSRB's Board has been exemplary, and we look forward to their continued leadership as we carry out MSRB's mission to protect investors, issuers and the public interest in a fair and efficient municipal securities market."

Four new Board members were also elected for four-year terms beginning on October 1, 2026. More information on these candidates will be announced in the coming days.

In addition, the Board discussed the following initiatives:

Regulatory Modernization

- Rule G-27: Potential next steps on MSRB dealer supervision initiatives and updated Board authorization on two upcoming rule filings with the SEC:
  – The Board modified its prior approval from the April Board meeting to further extend the annual business day exclusion for non-primary residences from the branch office definition from the current 30 business days to 90 business days; and
  – The Board authorized making permanent the ability of municipal securities dealers to participate in FINRA's Remote Office Inspections Pilot Program upon FINRA making such program permanent, as previously announced by FINRA.
- Rule G-11: Updates on ongoing stakeholder engagement surrounding open contractual commitments in underwriting syndicates and potential next steps
- Rule G-37: A primer on the history, purpose and operation of the rule
- Updates on market infrastructure rules as they relate to potential adoption by market participants of tokenized municipal securities

Market Transparency and Public Accountability

- An update on the modernization of the EMMA website
- A report on the taxable municipal market and recent MSRB research

In addition, prior to the Board meeting, the Board and MSRB's Technology Advisory Group held an education session on decentralized finance and digital assets.

Date: July 23, 2026

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Mintz: Municipal Finance Proposals to Watch During the Final Months of the 119th Congress

Several legislative proposals affecting municipal bonds and infrastructure finance have been introduced or reintroduced in the 119th Congress. Although these measures are not currently at the forefront of the congressional agenda, they represent long-standing bipartisan priorities within the public finance community and could be candidates for consideration if tax or infrastructure legislation moves forward later this year.

Enhancing Municipal Finance Tools

Bipartisan legislation has been introduced in both the House and Senate to restore tax-exempt advance refunding, an effective financing tool that is currently unavailable to state and local governments. In the Senate, Sens. Roger Wicker (R-MS) and Michael Bennet (D-CO) have introduced the **LOCAL Infrastructure Act (S. 1481)**, while in the House, Reps. David Kustoff (R-TN), Rudy Yakym (R-IN), Gwen Moore (D-WI), and Jimmy Panetta (D-CA) have introduced the **Investing in Our Communities Act (H.R. 1255)**. Congressman Yakym serves as Republican co-chair of the Congressional Municipal Finance Caucus. Together, these bipartisan bills would reinstate the ability of municipal issuers to refinance outstanding bonds earlier, at lower interest rates, helping communities reduce debt-service costs and redirect savings toward infrastructure, schools, hospitals, affordable housing, water systems, transportation networks, and other public priorities. Supporters view the legislation as a proven way to strengthen the municipal bond market, provide greater flexibility to state and local governments, and support long-term economic growth.

Rep. Terri Sewell (D-AL), a former bond lawyer and Democratic co-chair of the Congressional Municipal Finance Caucus, has also reintroduced the **Local Infrastructure Financing Tools (LIFT) Act (H.R. 8864)**. In addition to restoring advance refunding, the bill would increase bank-qualified debt limits for smaller borrowers, including nonprofit health systems, colleges, universities, and other mission-driven organizations. The legislation also would create a new direct-pay taxable American Infrastructure Bond, modeled on the successful Build America Bonds program from the Obama administration, allowing issuers to receive a direct federal subsidy to offset a portion of their interest costs. Together, these provisions are intended to expand access to affordable capital and increase investment in infrastructure and community development projects.

Continue reading.

By Christie L. Martin, R. Neal Martin

July 23, 2026

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MSRB Municipal Securities Market Trading Summary.

Read the MSRB Summary.

July 10, 2026

NFMA Comments on GASB Exposure Draft, Infrastructure Assets.

On June 26, 2026, the NFMA submitted a comment letter to the GASB on it's Exposure Draft, Infrastructure Assets.

To read the letter, click here.

National Federation of Municipal Analysts

Hawkins SEC Regulatory and Enforcement Update.

Introduction

This Hawkins Update provides an update on the Securities and Exchange Commission (the "SEC") regulatory and enforcement activities of interest to the municipal securities market and its participants.

Read the Update.

06.24.2026

SEC Approves MSRB Rule Codifying Inter-Dealer Trade-Confirmation Guidance: Norton Rose Fulbright

The SEC approved a rule change that codifies, revises or retires existing MSRB interpretive guidance on how dealers confirm inter-dealer municipal trades that cannot be matched through automated comparison at a registered clearing agency.

The proposed rule amends MSRB Rule G-12 ("Uniform Practice") as follows:

On reorganization:

- Confirmation disclosures are reorganized into three categories: Securities Transaction Info, Securities Identification Info, and Additional Securities Info;

On Codifications:

- Yield/price computation rules (yield to maturity, call, put; dollar price rules) are formally written into the rule;
- Yield is computed to lower of call or maturity date; limited to "in whole calls" and usable without restriction;
- All computations must follow Rule G-33 ("Calculations")

Removed requirements:

- Credit backing disclosures
- Securities features disclosures
- Securities status disclosures
- Tax information disclosures

New definitions added:

- Stepped coupon securities, zero coupon securities, stripped coupon securities, and pricing call

Technical fixes:

- Updated internal cross-references throughout Rule G-12(e) and (g)
- Removed bearer bond denomination references (no longer issued in primary market)

Interpretive Guidance

- One guidance document fully retired (callable securities confirmation, Feb. 1986)
- Five others amended to update rule references or remove now-codified content

Norton Rose Fulbright US LLP

June 24 2026

Municipal Dealer Settles FINRA Charges for Unfair Bond Prices: Norton Rose Fulbright

A municipal securities dealer settled FINRA claims for charging customers unfair prices on municipal bond trades and failing to supervise its pricing.

According to the AWC, during the relevant period, the firm failed to consider appropriate pricing information to determine the prevailing market price. FINRA found that the firm "continued to use its cost or proceeds as the prevailing market price even though it was no longer contemporaneous." In other instances, FINRA found the firm used dealer quotations even when a recent inter-dealer trade price was available. FINRA cited one instance in which the firm bought bonds from another dealer at $97.50 and sold part of that position to a retail customer. The firm used its purchase price as the market price and added a 2.56 percent mark-up. That set the sale at $100.00, but inter-dealer trades at the time were at $96.00. FINRA said that using the inter dealer price with the same mark-up would have resulted in a $98.46 trade.

FINRA determined that customers were harmed in the aggregate amount of $21,111.29 across 23 trades in violation of MSRB Rules G-30 ("Prices and Commissions") and G-17 ("Conduct").

FINRA also found that the firm's written procedures did not require staff to weigh the pricing sources listed in the rule, and did not include how the firm would review pricing. As a result FINRA found the firm's supervision was not reasonably designed for fair pricing in violation of MSRB Rule G-27 ("Supervision").

The settlement included a censure, a $20,000 fine, restitution of $21,111.29 plus interest, and certification that the firm remediated the issues.

Norton Rose Fulbright US LLP

June 29 2026

Proposed Rule Change Consisting of Amendments to MSRB Rule G-28 on Transactions with Employees and Partners of Other Municipal Securities Professionals, to Harmonize and Better Align with FINRA Rule 3210 on Accounts at Other Broker Dealers and Other Financial Institutions: SEC Filing

View the SEC filing.

June 18, 2026

MSRB Amends Rule G-28, on Transactions with Employees and Partners of Other Municipal Securities Professionals, Consistent with FINRA Rule 3210, on Accounts at Other Broker-Dealers and Financial Institutions.

View the MSRB Notice.

June 18, 2026

MSRB Discusses Key Initiatives During Board Video Conference.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) met on Thursday, June 11, 2026, via video conference. The Board discussed strategic and regulatory matters and received updates from MSRB staff on several ongoing initiatives centering around its strategic goals of regulatory modernization, market transparency and public accountability as part of its FY 2026-2030 strategic plan.

The video conference included Board discussion around the professional qualification exam provisions of MSRB Rule G-3 and the ongoing stakeholder engagement efforts associated with retrospective rule reviews of dealer regulation and the municipal advisor framework.

The Board also received updates from staff on the enhanced EMMA platform, along with a deployment plan. Additionally, the Board received updates on the ongoing stakeholder engagement efforts and feedback related to the draft FY2027 budget and process. The Board will vote on approval of the FY2027 budget during its next quarterly meeting, which will be held July 22-23, 2026.

Date: June 12, 2026

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MSRB Municipal Market Trading Summary through May, 2026.

View the MSRB Summary.

Cash Basis Accounting Has a Muni Market Price for Issuers.

Issuers that use cash basis accounting pay a yield premium of three to five basis points in the primary market compared to those using generally accepted accounting principles, and their bonds are less likely to trade in the secondary market, a new research paper finds.

The paper, “Does GAAP Compliance Matter to Municipal Bond Investors?” looks at general obligation bonds issued by Illinois municipalities. It is currently under review at a peer-reviewed journal.

It further finds that bonds sold by cash basis issuers face an access penalty in the secondary market, and that audit oversight is tied to investor participation in the secondary market, with the likelihood that the bonds never trade dropping 34% if a municipality is subject to a mandatory audit by a certified public accountant.

One possible explanation for the difference in investor behavior is that “investors see bonds for cash basis issuers as just inherently less creditworthy,” said Justin Marlowe, research professor at the University of Chicago’s Harris School of Public Policy, director of the Center for Municipal Finance and the author of the paper. “I think there’s some sense out there that you do cash basis accounting if you’ve got something to hide, and I don’t find that to be the case.”

Notably, for cash basis bonds that do trade in the secondary market, “there is no evidence of higher transaction costs,” the paper finds.

The paper concludes that cash basis reporting primarily impacts who is willing to buy and hold a bond, not how investors price its underlying credit risk.

In the paper’s comparison, the underlying financial health of the GAAP and cash basis issuers was largely similar, Marlowe said.

“If that’s the case, then why is it that we might see this noticeable difference in any borrowing costs in the primary market?” he said. “Clearly, what’s happening here is the buyer base for cash basis bonds is smaller, and there are some mechanical reasons for that.”

For one, many mutual funds are not allowed to buy bonds from issuers who rely on cash basis statements. Portfolio managers are often under a strict mandate that forbids it, because cash basis accounting does not allow the kind of deep credit analysis that the funds require, he said.

Also, “when you talk to managers in the (separately managed account) world, in particular, there’s a similar dynamic there,” he said. “They’re doing a lot of benchmarking and comparison; a lot of the marching orders that investors give to their SMA managers is to buy particular types of bonds, or buy bonds with certain characteristics.”

SMA managers are often trying to maintain roughly the same credit profile across portfolios, but shift the portfolio in ways that prioritizes other kinds of risk besides credit, Marlowe said. “If you have some bonds that are cash basis and some bonds that are GAAP basis, it’s very difficult to hold credit constant because you don’t exactly know what some of those longer-term financial concerns are from cash basis borrowers.”

Marlowe completed his paper as it became clear that an audit standards bill in Illinois, HB 5391, would not pass during the session that ended Sunday.

Among other things, HB 5391 would allow more local governments to use cash basis rather than GAAP accounting, creating four financial reporting categories, with the three categories under the $35 million in cash receipts threshold able to use cash basis.

The bill’s proponents plan to pass it this year, according to Dan Nugent, assistant professor of accounting at the University of Wisconsin-Platteville, who said he is the bill’s drafter.

The bill aims both to enable more timely audits and to incentivize CPAs to do more public sector work, Nugent told The Bond Buyer in an interview.

“The number of CPAs who are actually doing this work, if you look at the number of partners back when we pulled this data, you’ve got about 202 right now across Illinois,” he said. “There were 461 back in 2010.”

Particularly downstate, “as the quality control standards of the peer review process have increased, that has resulted in (firms) not performing local government audits,” Nugent said. “They’re stepping back from this, saying that local government audits are too risky.

“Untimely financial reporting of local governments is a nationwide problem,” he said.

In a Monday outlook report, Municipal Market Analytics warned that “HB 5391’s proposed solution is unlikely to deliver the relief expected for mid-sized local governments” and “switching the basis of accounting is not an effective solution in decreasing the audit burden.”

MMA agreed with Nugent that the issues the bill tries to address – such as the shortage of CPAs doing government work and accountants’ complaints about GAAP audits being comparatively onerous – are not unique to Illinois.

But HB 5391’s potential status as a bellwether for other states is “concerning,” MMA said.

“Normalizing a solution that reduces governmental transparency but fails to address the root causes of the timeliness and cost problem? is an undesirable outcome for not only market participants but also the governments and their citizens,” MMA said.

Nugent rejected the solution arrived at in Texas, which tied property tax hikes to audit timeliness ? with audits filed within 180 days of fiscal year’s end ? and saw its delinquent audits essentially cut in half.

“If you’re not going to allow (local governments) to levy for what they need to operate, how are they going to be able to do what they’re supposed to do?” he said. “I understand where Texas is coming from, but your flip side of that is what happens when they don’t (complete audits on time)? That’s why I believe this model is much better.”

HB 5391 would give local governments seven months after the fiscal year’s end to file their audits

with the comptroller's office.

Two months after that, "the comptroller's office is to come in and start actively monitoring," he said.

Twenty-eight days after that, the comptroller's office would make a determination of whether a local government is taking sufficient action.

If the comptroller finds it is not, the matter would be referred to the state attorney general, who would then seek a judicial remedy, Nugent said.

He added that while the bill is a work in progress and he's still meeting with people to get feedback on the draft, the representative who is sponsoring the bill, Natalie Manley, D-Joliet, "has announced that there's going to be meetings throughout the summer, with the intention that as you get towards the fall veto session, there would be a bill that works."

Bills passed during Illinois' fall veto session typically require a three-fifths majority vote.

In his paper, Marlowe proposed one change that could make the bill more effective: preserve the mandatory CPA audit but relax GAAP accrual requirements.

"To be able to separate the effect of GAAP basis reporting as something the market responds to, as opposed to just having the assurance that an accounting professional reviewed the financial statements… that was a unique opportunity," he said. "To find that, in fact, yes, the market responds to some form of external oversight over financial reporting, independent of the substance of the reports, is I think an interesting finding in and of itself."

Still, MMA warned in its report that "rating agencies' methodologies rely on information that is not included in cash-based audits. Local governments with bond ratings will reasonably need to provide agencies with additional information included in GAAP-based audits to maintain their ratings.

"And if the information is not provided and the government's rating is withdrawn, that is likely to increase issuance costs in the future," MMA said.

Marlowe said cash basis issuers' bonds are more likely to be unrated, and "there's no doubt" that "unrated bonds just are not eligible for certain kinds of funds," resulting in a smaller buyer base.

By Jennifer Shea

BY SourceMedia | MUNICIPAL | 06/02/26 04:17 PM EDT

MSRB Review of the Taxable Bond Market.

View the MSRB publication.

May 17, 2026

NACo Endorses the MINT Act to Restore a Proven Credit Enhancement Tool

for County Bonds.

Key Takeaways

- NACo sent a letter to the U.S. Senate endorsing the Municipal Investment and Neighborhood Transformation Act (S. 3941), or MINT Act, bipartisan legislation introduced by Sens. Catherine Cortez Masto (D-Nev.), Todd Young (R-Ind.) and Jim Justice (R-W.Va.
- The bill would permanently restore the ability of Federal Home Loan Banks (FHLBs) to provide letters of credit that enhance state and local tax-exempt bonds, lowering borrowing costs for the infrastructure, public facilities and affordable housing.

On May 12, NACo sent a letter to Sens. Catherine Cortez Masto (D-Nev.), Todd Young (R-Ind.) and Jim Justice (R-W.Va.) endorsing their bipartisan Municipal Investment and Neighborhood Transformation Act (S. 3941), known as the MINT Act. The legislation would permanently restore the treatment of state and local bonds guaranteed by a Federal Home Loan Bank (FHLB) as not federally guaranteed for purposes of determining their tax-exempt status.

Continue reading.

National Association of Counties

by Jeffrey Thorsby
Legislative Director

May 29, 2026

Muni Call Risk: Why Similar Bonds Behave Differently

Municipal bond investors devote much analytical energy to assess credit quality and interest rate risk. Another crucial risk factor in realized returns may come from a different source: issuer behavior. How and when issuers refinance or redeem callable bonds can reshape expected cash flows. As a result, two bonds with similar structures can deliver meaningfully different realized returns depending on how actively issuers manage their debt.

Why are some bonds called at the first opportunity when rates fall, while others remain outstanding for years? Why do bonds with similar coupons and call provisions behave differently across issuers in the same rate environment?

Part of the answer lies with the municipal financial advisor. Advisors do not directly set yields or trade bonds. But they influence how bonds are structured, disclosed, and, most importantly for investors, when and how issuers exercise their call options.

Continue reading.

CFA Institute Research & Policy Center

by Baridhi Malakar, PhD and Daniel Garrett, PhD

Enterprising Investor Blog

27 May 2026

IRB Disclosure Could Take Hit If Public Cos. Permitted to Report Semiannually.

Amendments proposed by the Securities and Exchange Commission to permit semiannual reporting by public companies could, if adopted, reduce transparency in at least one area of the municipal securities market: Tax-exempt industrial revenue bonds.

On May 5, the SEC proposed amendments that would give public companies the option of filing semiannual reports instead of quarterly reports to meet their interim reporting obligations under the federal securities laws.

Though it's unclear at this stage the degree to which public companies might avail themselves of such an option, Mary Francoeur, the National Federation of Municipal Analysts' industry and media liaison, cited tax-exempt industrial development bonds, a type of private activity bond also known as industrial revenue bonds, as an area of the muni market that could be impacted.

IRB deals are conduit financings, where, though the bonds are issued by a governmental entity, the ultimate responsibility for making principal and interest payments rests with the private sector entity.

"While the corporate obligors in those instances are usually only required to file annually on EMMA under their continuing disclosure agreements, the publicly traded companies presently make quarterly filings on EDGAR," said Francoeur, who brought nearly four decades of public finance industry experience with her when she assumed her NFMA role in January.

"Analysts rely on those filings," she said. "I think any effort to make reporting less frequent is a step backwards in transparency."

The Municipal Securities Rulemaking Board's Electronic Municipal Market Access website – or EMMA – provides free public access to municipal market information and is designated by the SEC as the official source for municipal securities data and disclosure documents.

Similarly, the SEC's EDGAR database provides free public access to corporate information, allowing users to research a public company by reviewing its filings with the SEC. Francoeur cited Waste Management, Inc. (WM) and United Airlines, Inc., whose parent company is United Airlines Holdings, Inc. (UAL), as examples of corporate entities linked to currently outstanding IRBs.

Pat Luby, head of municipal strategy at CreditSights, said a shift to semiannual reporting by public companies, as would be their option under the SEC's proposed amendments, "would have a negative effect on the quality of disclosure" relating to IRBs associated with public companies.

"There's generally no backstop from a municipal entity, so the bondholders are looking strictly to the ability to pay of these public companies," Luby said. "And so if they have to go six months before they get a disclosure, that's a major degradation in transparency."

Comments on the SEC's proposal are due by July 6.

"Public companies have an obligation under the federal securities laws to provide information that is

material to investors," SEC Chairman Paul Atkins said in a May 5 statement regarding the proposed amendments. "Yet, the rigidity of the SEC's rules has prevented companies and their investors from determining for themselves the interim reporting frequency that best serves their business needs and investors."

The proposed amendments, if adopted, "would provide companies with increased regulatory flexibility in this regard," Atkins said.

By Kathie O'Donnell

BY SourceMedia | MUNICIPAL | 05/12/26 10:49 AM EDT

MSRB Releases Strategic Plan for Fiscal Years 2026-2030.

Strategic goals include regulatory modernization, market transparency and public accountability

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today announced the release of its strategic plan for fiscal years 2026 through 2030. The plan outlines MSRB's priorities and emphasizes the importance of continued stakeholder engagement as it serves its congressional mandate to protect investors, issuers and the public interest in a fair and efficient municipal securities market.

"MSRB's strategic plan was shaped by the many conversations we've had with stakeholders from across the municipal securities market, and I cannot emphasize enough that the most important part of this strategic plan will be the ongoing engagement that will occur as we pursue these goals in the years ahead," MSRB CEO Mark Kim said. "MSRB's highest priority will always be to fulfill our congressional mandate and carry out our statutory duties, and we welcome all market participants to continue engaging with us as we pursue our shared vision to give America the confidence to invest in its communities."

MSRB's FY 26-30 strategic plan outlines three objectives that will guide its priorities over the coming years, including:

REGULATORY MODERNIZATION

Protect investors, issuers and the public interest in a fair and efficient municipal securities market. Focus areas include:

- Targeted retrospective rule reviews of dealer regulation to ensure just and equitable principles of trade while fostering free and open markets in municipal securities.
- A holistic retrospective rule review of the municipal advisor regulatory framework to ensure MSRB rules address the current and future state of municipal advisory activities.
- Dealer disclosure obligations and related requirements for municipal fund securities to ensure MSRB rules are consistent with the evolution of the market and current practices.
- Regulatory cooperation and coordination through guidance and assistance in the enforcement of and examination for compliance with MSRB rules.

MARKET TRANSPARENCY

Deliver a modernized Electronic Municipal Market Access (EMMA®) website, which provides free public access to the official information repository for municipal securities data and documents. Focus areas include:

- Quality of municipal securities market data by providing timely, accurate, and complete pricing, issuance and trading data and continuing disclosure information.
- Integrity of municipal securities market data through robust cybersecurity practices.
- Free access to MSRB's information repository for all market participants and the general public through the EMMA website.
- Understanding the implications of financial innovation and emerging technologies on the regulatory framework and municipal market structure to inform market regulation and market transparency initiatives.

PUBLIC ACCOUNTABILITY

Ensure accountability to MSRB's congressional mandate through stakeholder engagement, education and outreach, corporate governance and fiscal stewardship. Focus areas include:

- Stakeholder engagement to better understand the market we regulate.
- Education and outreach that advances understanding of MSRB rules and the municipal securities market.
- Responsible corporate governance and prudent fiscal stewardship.

To learn more, explore MSRB's FY 2026-2030 strategic plan.

Date: May 07, 2026

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An Analysis of Proactive State Monitoring of Local Government Debt Issuance.

Abstract

Debt monitoring rules are a type of fiscal rule that allows states to proactively oversee their local government borrowing. This study examines how these rules impact local borrowing costs using a mixed-methods approach. It reviews state codes to classify debt monitoring features and creates a rigor index to measure state involvement. The study then assesses how variation in state involvement influences borrowing costs. The results indicate that debt monitoring rules involving early and substantive state involvement, particularly those that facilitate timely information exchange and state engagement, are associated with lower borrowing costs, while passive monitoring has little effect.

Key Points

Debt monitoring rules are designed to structure how debt information is reported, reviewed and coordinated between local and state governments, with important variation in state involvement.

Some states have an approval process in which the state is highly involved in local government borrowing while other states are passively involved, primarily limited to data collection and dissemination.

To capture this variation, this study conducts a national review of state statutory codes, anddevelops a rigor index that measures the extent of state involvement in the local government debt issuance process.

Empirical results show that higher levels of state involvement, particularly prior to bond issuance, are associated with significantly lower borrowing costs, compared to limited or no state involvement.

Low levels of state involvement, including post-issuance monitoring and information collection, do not significantly affect borrowing costs, underscoring the importance of timely and actionable oversight.

Continue reading.

Wiley Online Library

by Justina Jose

First Published: 6 May 2026

Correction to MSRB Notice 2026-03 Requesting Comments on Draft Amendments to MSRB Rules to Retire Financial Advisor Terminology Pursuant to the MSRB's Municipal Advisor Retrospective Rule Review.

Read the MSRB Notice.

MSRB Advances Regulatory and Transparency Initiatives at Quarterly Board Meeting.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) met on April 29-30, 2026, holding its third quarterly meeting of fiscal year 2026. The Board discussed several market regulation and transparency initiatives and met with Securities and Exchange Commission (SEC) Chairman Paul S. Atkins.

"Our many conversations with stakeholders over the past quarter were instrumental in shaping the Board's conversation around pertinent market regulation, transparency and public accountability items over the past two days," MSRB Chair Natasha Holiday said. "The actions taken by the Board to approve proposed rule amendments and issue a request for comment on regulatory initiatives represent a key step in MSRB's ongoing retrospective rule review and modernization. We look forward to continued collaboration with stakeholders as we work together to give America the confidence to invest in its communities."

Market Regulation

The Board discussed ongoing retrospective rule reviews and other regulatory matters including:

- Rule G-27: Approved proposed amendments to extend the annual business day exclusion for non-primary residences from the branch office definition and to clarify what is meant by the term structuring of public offerings or private placements.
- The Board also discussed industry feedback on potential future steps to further modernize supervisory requirements as well as the status of FINRA's remote supervisory pilot program.
- Rule D-15: Discussed public comments to proposed amendments on the definition of Sophisticated Municipal Market Professional (SMMP).
- Municipal Fund Securities: Approved issuing a Request for Comment to seek public comment on a potential rule change to extend electronic dissemination of primary market disclosure documents under Rule G-32 to 529 plans, ABLE programs and other municipal fund securities.
- Retrospective rule reviews: Received updates on the status of ongoing rule reviews relating to municipal advisors, Form G-32 and market infrastructure, as well as on MSRB's rule harmonization initiative.

Market Transparency

The Board received several updates on market transparency and public accountability initiatives, including:

- Continued work on the forthcoming modernized Electronic Municipal Market Access (EMMA)
- Recently published research, including dealer participation and concentration, institutional customer activity and use of alternative trading systems, trading volume and transaction costs for municipal bond ETFs, and transactions costs for odd-lot trades. The Board also discussed upcoming research, including a report on the taxable municipal market.

April 30, 2026

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MSRB Amends Rule G-20 to Increase Gift Limit, Consistent with Recent FINRA Amendments.

Read the MSRB Notice.

Read the amended Rule G-20.

May 1, 2026

MSRB Files Proposed Rule Change Relating to MSRB Rule G-12, on Uniform Practice.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), and Rule 19b-4 thereunder, the Municipal Securities Rulemaking Board (the "MSRB") is filing with the Securities and Exchange Commission (the "Commission") a proposed rule change relating to MSRB Rule G-12, on uniform practice (the "proposed rule change").

The proposed rule change would revise section (c) of Rule G-12 ("Rule G-12") to codify into rule language and to retire or revise existing interpretive guidance on confirmation requirements for those inter-dealer municipal securities transactions between two brokers, dealers or municipal securities dealers (collectively, "dealers") that are ineligible for automated comparison at a registered clearing agency, as well as to retire or revise other related interpretive guidance

View the proposed rule change.

MSRB to Retire "Financial Advisor" Terminology: Norton Rose Fulbright

The MSRB issued a request for comment on draft amendments that would replace the pre-Dod--Frank term "financial advisor" with "municipal advisor" throughout its rulebook.

The draft amendments include:

Rule G-1 ("**Separately Identifiable Department or Division of a Bank**") – The MSRB would remove "financial advisory and consultant services" from the definition of a bank's separately identifiable municipal securities dealer department, while clarifying that a bank may maintain both a dealer SID and a municipal advisor SID as separate or combined units.

Rule G-3 ("**Professional Qualification Requirements**") – The MSRB would delete financial advisory activity from the list of activities requiring Series 52/53 dealer qualifications, clarifying that dealer personnel who only perform municipal advisory activities need only hold the Series 50/54 municipal advisor credentials.

Rule G-20 ("**Gifts, Gratuities, Non-Cash Compensation and Expenses of Issuance**") – The MSRB would remove the redundant term "financial advisor" from the definition of "offeror," retaining only "municipal advisor" to eliminate duplicative language.

Rule G-23 ("**Activities of Financial Advisors**") – The MSRB would replace "financial advisory or consultant services" with the new defined term "new issue municipal advisory services," rename the rule accordingly, and substitutes Rule G-42 ("Duties of Non-Solicitor Municipal Advisors") documentation requirements in place of G-23's duplicative documentation language.

Rule G-37 ("**Prohibitions on Municipal Securities Business and Municipal Advisory Business**") – The MSRB would remove financial advisory services from the definition of "municipal securities business" to eliminate duplicate disclosure obligations for dealers who also act as municipal advisors, since such engagements are already captured under the "municipal advisory business" definition.

Comments are due by July 20, 2026.

Norton Rose Fulbright US LLP

April 27 2026

How Municipal Financial Advisors Evolved Over Time.

Wharton's Daniel Garrett explains how municipal financial advisors influence government decisions and how their role has evolved over the past 25 years.

Municipal financial advisors play an important, but often under-examined, role in how state and local governments access financial markets. In a recent study published in *Public Budgeting & Finance* titled "The Evolving Role of 21st Century Municipal Financial Advisors," professor Daniel Garrett and his co-author Baridhi Malakar explore how this advisory landscape has evolved over the past 25 years, shaped by regulatory changes, shifting market dynamics, and growing demand for financial guidance.

What are the main functions of municipal financial advisors, and what motivated you to study the evolution of their role?

Daniel Garrett: It might be a bit on the nose to say that municipal financial advisors provide advice about finance to municipalities, but these advisors can provide advice about all sorts of borrowing or investing decisions for U.S. municipal entities. Most prominently, municipal financial advisors help guide state and local public entities through the process of issuing municipal bonds, which can have many complications including trying to structure the timing of when bonds will be paid back, whether to include extra features like bond insurance, and how to hire an investment bank who will underwrite the bond. Municipal financial advisors can also provide advice on other financial decisions a municipality might be making: Should we refund our existing bond or should we pay it off? How should we invest the cash that we currently have before we need to spend it? If there is a financial decision that a municipality needs to make, they might seek out the advice of a municipal financial advisor to try to make sense of the tradeoffs.

In this paper, we chose to study the evolution of this market for financial advice for two reasons. First, the financial market decisions of state and local public entities in the U.S. are both understudied for their relative economic importance and potentially influenced by a large number of underappreciated factors, of which financial advisors are one. Municipalities owe about $4.2 trillion to investors through municipal bonds and at least another $1.5 trillion in unfunded pension obligations to retired workers, so the borrowing and investing decisions of municipal entities may have large economic effects on many people. Second, my co-author Baridhi Malakar and I both wrote portions of our dissertations about how the Dodd-Frank Wall Street Reform Act of 2010 changed the operation of municipal financial advisors and how this led to changes in the costs that municipal entities paid to access financial markets. We both realized that there were interesting patterns in the narrower data we used in our dissertations and wanted to have the opportunity to explore those patterns over longer time horizons stretching back to 2000 and up through today.

Continue reading.

Wharton

by Daniel Garrett & Baridhi Malakar

April 20, 2026

Conduit Issuer Project-Selection Process in Spotlight.

Conduit issuers perform an important role in facilitating the financing of projects that benefit the public, but they also serve as something else: The gatekeepers who decide which conduit borrowers can access the municipal securities market.

Dave Sanchez, director of the Securities and Exchange Commission's Office of Municipal Securities, cited those roles in remarks delivered earlier this year, in which he also said that "non-governmental conduit borrowers" are"driving defaults in the municipal securities market."

From Jan. 1, 2020 through mid April of this year, borrowers using conduit issuers accounted for 75% of all impairments and 87% of payment defaults by number in the muni market, according to Matt Fabian, president of Municipal Market Analytics, an independent research and consulting firm.

Borrowers that need to use a conduit issuer to access the municipal securities market are typically riskier investments than a traditional government issuer that has direct access to the market, Fabian said.

"It's just the nature of the entity that's borrowing money," Fabian said. "A charter school or a senior living facility is inherently more fragile and more likely to default than a city."

While borrowers using conduit issuers represent a high percentage of the muni market's payment defaults, muni market defaults overall are rare, the MMA president said. Over the last decade or so, the muni market has had about 50 to 70 defaults per year, according to Fabian, who added that MMA tracks about 700 currently impaired borrowers out of a universe of 37,000 unique municipal market borrowers.

Currently just 0.75% of the market's outstanding par value – including Puerto Rico debt – is in payment default, he said.

Chuck Samuels, a member at law firm Mintz who serves as general counsel to the National Association of Health and Educational Facilities Finance Authorities, a group known as NAHEFFA for short, said that while certain areas in conduit financings do have relatively higher default rates, the actual number of conduit financing defaults "is still very small."

"The fact is conduit financings have a tiny default rate," Samuels said. "However, because the default rate in the municipal bond space is minuscule, every default that we have gets a lot of publicity."

Conduit issuers from outside the state where a project being financed is located "have a disproportionate number of the defaults or otherwise troubled bonds," Samuels said.

"And if you took them out of the equation, the number would be incredibly low," he said.

Sanchez's remarks relating to conduit financings were delivered during NAHEFFA's Winter Webinar 2026, held on Jan. 23.

Along with citing the important role the group's members play as conduit issuers in facilitating the financing of various projects that benefit the public as well as noting conduit issuers' gatekeeper role, the OMS director also highlighted "an aspect of disclosure" that he sees "as crucial to further improve the municipal securities market."

Often, Sanchez said, the process conduit issuers use to pick the projects they will be financing on conduit borrowers' behalf isn't disclosed.

"Depending upon the facts and circumstances, that may be a disclosure issue because investors may not be able to properly evaluate the level of risk they are taking on – in essence making a blind investment – when they do not have material information about your project selection process," the OMS director said.

A lack of transparency surrounding the project selection process could leave an investor unclear as to what kind of vetting – if any – a conduit issuer has performed for the projects it finances, Sanchez said.

Investors might incorrectly assume "that an issuer's involvement in the conduit financing implies a rigorous vetting process; or an investor may mistakenly assume that all conduit issuers have similar vetting processes for the projects they approve, even though, from what I have observed, these processes do vary widely across conduit issuers," he said.

Sanchez told NAHEFFA members that he's encouraged when he sees conduit issuers that have clearly stated policies or guidelines setting forth the creditworthiness standards and eligibility requirements for the projects they will finance.

He emphasized, however, that he wasn't suggesting specific standards or eligibility requirements for their project selection processes.

Still, the OMS director believes that conduit issuers that use "rating reports and feasibility studies, especially for specialized projects, and conduct an independent analysis of these reports and studies to ensure compliance with statutory and financing eligibility requirements" and subsequently share that information publicly, may put investors in a better position to weigh the risks of a conduit-financed project.

When it comes to conduit financings, investors typically can look only to the conduit borrower for repayment of the bonds, he said. If a conduit issuer or borrower suppresses information regarding feasibility studies or ratings discussions that question a project's financial viability or regarding legal opinions questioning a project's legal structure, "they may be depriving investors of material information," Sanchez said.

"With non-governmental conduit borrowers driving defaults in the municipal securities market, I believe a clear understanding of a conduit issuer's project selection process may be material to an investor's understanding of how conduit issuers, as gatekeepers, assess the risks associated with the projects they finance," Sanchez said.

Sanchez's message urging that conduit issuers be more careful about some of the financings they undertake is "a wise admonition," Samuels said.

"Although the reality is that under state law, if a borrower comes to an issuer and meets the qualifications under state and federal law, then in most cases the issuer is duty-bound to issue the bonds," he said. "But that doesn't mean that vetting and due diligence by all the people in the transaction can't improve."

Sanchez, "is a superb director of OMS," Samuels said. "He does his job."

The OMS director is "pushing every sector – including conduits – to improve what they're doing in a financing, both pre-market and post-market," the NAHEFFA general counsel said.

“We’re very supportive of that,” Samuels said. “That’s why we asked him to come talk to us.”

Conduit issuers are created pursuant to state law, “and state law gives some more requirements than others on what they can let into the bond market,” MMA’s Fabian said. In some cases, projects financed through a conduit issuer in a specific state are required to have a demonstrable benefit for that state’s residents, he said, adding that other conduit issuers, such as the Public Finance Authority, don’t have such a constraint. PFA, a Wisconsin governmental entity, is authorized to issue bonds in all 50 states.

Greater disclosure from conduit issuers regarding their project selection process would be good for investors, Fabian said.

“Knowing whether there’s no vetting or whether there’s some vetting, it just helps to manage expectations,” he said.

By Kathie O’Donnell

BY SourceMedia | MUNICIPAL | 04/23/26 01:32 PM EDT

MSRB Announces Discussion Topics for Quarterly Board Meeting.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) will meet on April 29-30, 2026, to hold its third quarterly meeting of fiscal year 2026. Highlights of the Board discussion will include:

Market Regulation

The Board will discuss regulatory matters and receive updates on several ongoing initiatives, including:

- Rule G-27: Reviewing comment letters from the RFC on potential amendments for modernizing dealer supervisory requirements.
- Rule D-15: Reviewing comment letters from the RFC on potential amendments to the definition of Sophisticated Municipal Market Professional (SMMP).
- Municipal Fund Securities: Reviewing stakeholder feedback on the concept release to potentially modernize disclosure practices.
- Retrospective rule reviews: Receiving updates on the status of ongoing reviews relating to municipal advisors, Form G-32 and market infrastructure, as well as on MSRB’s rule harmonization initiative.

The Board will also receive several updates on market transparency and public accountability initiatives, including:

- Recently published and upcoming MSRB research
- Update on the modernization of the Electronic Municipal Market Access (EMMA) website

Date: April 23, 2026

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MSRB Seeks Comment on Draft Amendments to Harmonize Municipal Advisor Terminology.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today published a request for comment (RFC) on draft amendments to MSRB Rules G-1, G-3, G-20, G-23 and G-37 as part of its Municipal Advisor Retrospective Rule Review.

The draft amendments would adopt the uniform term "municipal advisor" to eliminate references to the term "financial advisor" or "financial advisory and consultant services" in respect to brokers, dealers and municipal securities dealers serving in a financial advisory capacity. The harmonization of terms across multiple rules ensures MSRB remains consistent with the terminology established under the Dodd-Frank Act and used in MSRB rules adopted since Dodd-Frank's passage.

"This RFC represents the first phase of MSRB's Municipal Advisor Retrospective Rule Review process—one made more effective with robust feedback and collaboration from stakeholders," MSRB Board Vice Chair Wendell Gaertner said. "Retiring these terms eliminates unnecessary ambiguities associated with their use in MSRB rules, modernizes the language and streamlines our rules to reduce the compliance burdens for municipal advisors."

MSRB is also seeking input more broadly from the municipal advisor community, the entities and obligated person clientele they serve, and other market stakeholders on the scope and approach guiding MSRB's retrospective rule review process.

"MSRB launched its Municipal Advisor Retrospective Rule Review to ensure our regulatory framework keeps pace with how the market works," MSRB Chief Regulatory and Policy Officer Ernesto Lanza said. "We look forward to receiving stakeholder feedback and engaging with market participants as we begin this important process."

Responses to this RFC are due July 20, 2026.

For additional details, read the request for comment.

Date: April 23, 2026

Contact:
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GFOA Report: Materiality as a Process | What Really Counts

Materiality plays a central role in financial reporting, yet it is often treated as a narrow technical judgment rather than an ongoing management discipline. When applied thoughtfully, materiality helps focus effort on information that matters to those who use the information. It also helps avoid

effort wasted on low-value detailed accounting. Rethinking materiality does not entail relaxing standards or reducing accountability. It reduces low-value work so finance officers can focus on what matters to their communities.

This report shows how to apply materiality as a process. It is designed to help finance officers identify opportunities to reduce low-value effort, assess qualitative and quantitative issues affecting materiality, and implement safeguards that preserve confidence in financial reporting. By treating materiality as a process rather than a single technical test, governments can better align reporting effort with decision relevance. This strengthens both efficiency and accountability.

DOWNLOAD

Publication Date: April 2026

Authors: Shayne Kavanagh and Michele Mark Levine

Banks Rejected By Supreme Court in Muni Bond Price-Fixing Case.

Takeaways by Bloomberg AI

- The US Supreme Court refused to block a class action lawsuit seeking billions of dollars from Bank of America Corp., JPMorgan Chase & Co. and other financial institutions for allegedly fixing prices in the municipal bond market.
- The municipalities, led by the city of Philadelphia, accuse the banks of inflating interest rates on state and municipal bonds by conspiring to set rates above competitive levels.
- The antitrust lawsuit seeks a total of $12 billion damages, and the case could ultimately settle for about $770 million, with Bank of America and JPMorgan having the biggest potential exposure.

The US Supreme Court refused to block a class action lawsuit that seeks billions of dollars from Bank of America Corp., JPMorgan Chase & Co. and other financial institutions for allegedly fixing prices in the municipal bond market.

Making no comment, the high court on Monday turned away an appeal from units of eight banks, refusing to hear their arguments that a federal trial judge was wrong to certify the case as a class action. Municipalities led by the city of Philadelphia are pressing the suit, accusing the banks of inflating interest rates on state and municipal bonds.

Continue reading.

Bloomberg Markets

By Greg Stohr

April 20, 2026

Transaction Costs for Municipal Securities Odd-Lot Trades: MSRB Publication

Read the MSRB publication.

GFOA: Materiality as a Process | Three Forces that Reshaped Lease Reporting at Newport Beach

Materiality can be defined as follows: “Information is considered material if its omission or misstatement could influence the economic decisions of users taken on the basis of the financial statements.” Preparers of financial statements often face a large number of transactions and complex standards. A pragmatic and methodical approach to materiality helps them focus time and effort where it matters most.

This report provides a case study of the City of Newport Beach, California. It shows how a thoughtful approach to materiality can reduce workload, improve efficiency, and maintain transparency while successfully addressing materiality decisions with auditors. Before we get to Newport Beach’s case, we’ll review three forces that shaped Newport Beach’s conclusion.

Download the report.

Government Finance Officers of America

Authors: Shayne Kavanagh and Michele Mark Levine

Publication Date: April 2026

MSRB Report Finds Customer Trading on ATSs Expanding Dramatically.

Customer trade on ATSs increased 44 percent from 2024 to 2025 and was almost four times larger than in 2021.

The Municipal Securities Rulemaking Board (MSRB) has released a report that looks at recent Institutional customer activity and use of alternative trading systems (ATS), comparing two sets of data: the total number of customer trades and the number of customer trades executed on an ATS.

The report’s analysis, which was conducted for the MSRB by Marcelo Vieira and John Bagley, is based on transaction data for 2021-2025 and consists of approximately 38 million secondary market trades reported to MSRB’s RTRS.

Customer trading on ATSs has expanded at a pace that significantly exceeds overall growth in customer trading activity, the Board found. The percentage of customer trades executed on an ATS compared to all customer trades has steadily increased from 13 percent in 2021 to 21 percent in 2025. This means that in 2025, more than one in five customer trades were executed on an ATS.

Continue reading.

vitallaw.com

By Suzanne Cosgrove

Apr 7, 2026

GASB Seeks Comment on the Structure for Communicating GAAP for State and Local Governments.

Norwalk, CT, April 13, 2026 — The Governmental Accounting Standards Board (GASB) is seeking comment on a Discussion Memorandum addressing the structure for communicating generally accepted accounting principles (GAAP) for state and local governments.

The Discussion Memorandum, *The Structure for Communicating Generally Accepted Accounting Principles for State and Local Governments*, is a staff document designed to seek feedback at a relatively early stage, before the GASB has reached a consensus view. It is part of the GASB's pre-agenda research on the topic and does not present any preliminary views of the Board but will contribute to the Board's considerations related to whether a current technical agenda project to move to a single-authority structure should be initiated.

Pre-Agenda Research Objectives and Background

The overall objective of this pre-agenda research is to evaluate the effectiveness of the existing dual-authority structure and consider whether a single-authority structure should be pursued and, if so, how it would be operationalized.

Under the existing dual-authority structure, GAAP resides in two places—Original Pronouncements, such as GASB Statements or Implementation Guides, and the Codification—both of which have equal authoritative status.

As part of their feedback on other GASB due process documents, stakeholders have raised the issue of the dual-authority structure with some suggesting that the GASB move to a single source of GAAP, similar to the FASB Accounting Standards Codification®. As more standards are issued and as the GASB reexamines and amends existing standards, both using and maintaining a dual-authority structure becomes more complex.

The previous phase of the GASB's pre-agenda research in this area focused on evaluating the dual-authority structure, specifically with respect to how stakeholders engage with GASB literature and how the structure is maintained. Based on the results of that research, the current phase of this pre-agenda research is exploring whether a single-authority structure should be pursued and what that potential structure could look like.

This research is not expected to lead to a project that would change existing accounting and financial reporting requirements; rather, its focus is to consider how GAAP is communicated and maintained.

Share Your Views

Stakeholders are asked to review the document and provide input to the GASB by August 31, 2026. Comments may be submitted either in writing and addressed to the Director of Research and Technical Activities, who may be emailed at director@gasb.org, or through an electronic input form.

GASB Proposes Guidance on Infrastructure Assets.

Norwalk, CT, April 8, 2026 — The Governmental Accounting Standards Board (GASB) has issued an Exposure Draft of a proposed Statement, *Infrastructure Assets*, for public comment.

The primary objective of the Exposure Draft is to improve the financial reporting requirements for infrastructure assets, thereby enhancing the consistency in their application and better meeting the information needs of financial statement users.

Based on input received from financial statement users during research informing this project, and feedback received in response to a Preliminary Views issued in 2024, the GASB is proposing guidance related to the definition, recognition, and measurement of infrastructure assets, as well as associated note disclosures and required supplementary information schedules.

Recognition and Measurement

For infrastructure assets reported at historical cost net of accumulated depreciation, the Exposure Draft includes proposed guidance related to separately recognizing and depreciating components of those assets. Specifically, if a component of an infrastructure asset has a cost that is significant in relation to the total cost of the infrastructure asset and the estimated useful life of that component is substantially different from the estimated useful life of the infrastructure asset, that component should be considered a separate infrastructure asset in the determination of depreciation expense, including the determination of the estimated useful life, and for purposes of required disclosures in notes to financial statements.

The proposed guidance in the Exposure Draft also emphasizes the requirement for governments to perform a periodic review of the estimated useful lives and salvage values used in the calculation of depreciation expense for the infrastructure assets. As part of the transition to the proposal, this requirement would be applied to infrastructure assets held at the beginning of the reporting period in which this guidance is first implemented with any changes adopted as a result of that review being reported retroactively by restating beginning net position or fund net position, as applicable, for the cumulative effect, if any, of the change on prior periods.

Note Disclosures

The Exposure Draft also proposes to require governments to divide information about infrastructure assets in note disclosures by network, and for governments with a policy for monitoring the maintenance and preservation of their infrastructure assets to briefly describe that policy in notes to financial statements.

For infrastructure assets reported at historical cost net of accumulated depreciation, governments would also be required to disclose by network of infrastructure assets the historical cost, accumulated depreciation, and historical-cost weighted-average age of infrastructure assets that have exceeded 80 percent of their estimated useful lives. For this disclosure, governments would separate those infrastructure assets that have reached 100 percent of their estimated useful lives from infrastructure assets that have exceeded 80 percent of their estimated useful lives but have not yet reached 100 percent of their estimated useful lives.

Share Your Views

Stakeholders are asked to review the Exposure Draft and provide input to the GASB by June 26,

2026. Comments may be submitted either in writing and addressed to the Director of Research and Technical Activities, who may be emailed at director@gasb.org, or through an electronic input form.

A series of public forums on the Exposure Draft has been scheduled to enable stakeholders to share their views with the Board. Additional information is available in the document.

MSRB Rule G-27 on Dealer Supervision: SIFMA Comment Letter

Summary

SIFMA provided comments to the MSRB on Notice 2026-012, and applauds the MSRB's forward-thinking efforts to modernize its rules to reduce undue compliance burdens on regulated entities while continuing to provide appropriate investor and issuer protections.

Excerpt

SIFMA 1 appreciates this opportunity to provide input on MSRB Notice 2026-01 2, and applauds the MSRB's forward-thinking efforts to modernize its rules to reduce undue compliance burdens on regulated entities while continuing to provide appropriate investor and issuer protections. In furtherance of this goal the MSRB should:

- eliminate all location-based concepts of supervision, recognizing that functional-based supervision comports with how business and supervision is conducted today and how regulators operate in the current electronic workplace;
- if that is not possible at this time,

> 1) approve the draft amendments that increase the length of the exclusion from the municipal branch office registration for locations other than a primary residence from 30 business days to 60 business days; and
>
> 2) approve, with our suggested edits, the draft amendments which clarify that the term "structuring" in the definition of "office of municipal supervisory jurisdiction" does not include "public finance activities."

Continue reading.

March 16, 2026

MSRB: Institutional Customer Activity and Use of ATS

Read the MSRB Report.

Municipal Securities Rulemaking Board

March 23, 2026

Municipal Bond Issuers: Second Circuit Properly Applied 'Rigorous Analysis' Standard in Certifying VRDO Class

Certiorari should be denied because no circuit split exists, and Rule 23 does not require courts to resolve expert disputes at class certification.

Respondents City of Philadelphia and other municipal plaintiffs urged the Supreme Court to deny certiorari from a Second Circuit decision affirming class certification in an antitrust action alleging a conspiracy by major financial institutions to inflate variable-rate demand obligations (VRDO) interest rates. They argued in their Brief in Opposition that the lower courts correctly applied the well-settled Rule 23 "rigorous analysis" standard, evaluating competing expert evidence while properly declining to resolve merits disputes reserved for the jury. According to respondents, there was no circuit split, as all courts of appeals applied the same framework requiring scrutiny, but not resolution, of the ultimate persuasiveness of expert testimony at the certification stage. The petition, they contended, improperly sought a rule requiring courts to decide which experts are more persuasive, conflicted with Supreme Court precedent, and presented a poor vehicle for review given the fact-bound nature of the ruling, petitioners' failure to preserve key arguments below, and their failure to challenge the district court's predominance findings (*Banc Of America Securities LLC v. City Of Philadelphia, Pennsylvania*, No. 25-639 (U.S. Mar. 13, 2026)).

Background. The case arose from allegations that major financial institutions conspired from approximately 2008 to 2015 to fix and inflate interest rates on variable-rate demand obligations (VRDOs), a type of municipal bond whose rates are periodically reset by banks acting as remarketing agents (RMAs). According to respondents, instead of competing to set the lowest possible rates, as required, petitioners coordinated base rates. They shared pricing and inventory information, resulting in supra-competitive rates that increased costs for municipal issuers.

Continue reading.

vitallaw.com

By Martin A. Steinberg, J.D.

Mar 17, 2026

Municipal Bond Issuers Are Getting Flagged For Climate Exposure.

New muni deals show high flood, heat, and water-stress scores from ICE Climate Data — signals of physical risk, not credit ratings.

What's going on here?

Some new municipal bond deals are now showing an ICE "physical climate risk" label, flagging issuers exposed to floods, extreme heat, or water stress.

What does this mean?

MT Newswires reported that several muni offerings this week carried elevated ICE Physical Climate

Risk Scores on a 0.0–5.0 scale. ICE says a component score of 3.0+ for hazards like flood, wildfire, or hurricane signals high physical risk, based on location-level modeling. Examples cited include Northern Tioga School District, Pennsylvania (Flood Score 5.0 on a $9 million deal), Breckenridge Independent School District, Texas (Extreme Heat 4.7 on $37 million), and Stanislaus Union School District, California (Water Stress 4.4 on $10 million). The key nuance is that ICE isn't an NRSRO, and it says these metrics are not credit ratings or investment advice – they're meant to describe relative physical hazard exposure.

Why should I care?

For markets: Risk pricing is getting more granular.

Muni investors already parse issuer finances and local economics, but standardized hazard scores add a new, easy-to-compare layer across deals. If more underwriters include these numbers, buyers may start demanding extra yield for high-exposure issuers, or favor bonds tied to areas with lower modeled hazard. Over time, that could widen spreads within sectors that look similar on traditional credit metrics, like school districts, but face very different physical risks.

The bigger picture: Climate data is becoming a parallel language to credit.

Credit analysis asks whether an issuer can pay, while physical-risk analytics ask what might disrupt the tax base or push costs up over decades. Once a metric becomes common in offering documents, it can shape conversations between issuers, investors, and insurers – even if it's "not a rating." The more these scores get used, the more climate resilience, adaptation spending, and land-use choices may show up as financial considerations in the muni market.

finimize.com

Raising the Limit: FINRA Amends Gift Rule (Rule 3220) - Skadden

In February 2026, the Securities and Exchange Commission (SEC) approved and the Financial Industry Regulatory Authority (FINRA) adopted amendments to FINRA Rule 3220 (Influencing of Rewarding Employees or Others), to (i) increase the gift limit, (ii) incorporate and codify certain existing FINRA guidance and interpretations, (iii) alter FINRA's approach to valuing certain gifts and (iv) create a mechanism for FINRA to provide exemptive relief. The amended rule becomes effective March 30, 2026.

The amended rule and rulemaking do not disturb the long-standing FINRA guidance that ordinary and usual business entertainment in the presence of an employee of the broker-dealer (such as an occasional meal, sporting event, theater production or comparable entertainment event) is not subject to the gift limit and is permissible, provided that the entertainment "is neither so frequent nor so extensive as to raise any question of propriety."1 The rule previously imposed a $100-per-year limit on gifts that a FINRA registered broker-dealer (or its associated persons) could provide to an individual in relation to the broker-dealer's business with that individual's employer. Key changes under the amendments are:

- **An increased gift limit to $300.** The annual gift limit has increased from $100 to $300 per person, per year, to reflect inflation. While gifts given incidental to a business entertainment event are subject to the $300 gift limit, unless exempt (as described below), the cost of the business entertainment event itself is not included in the value of the gift.

Continue reading.

Skadden Arps Slate Meagher & Flom LLP – Ki P. Hong, Charles M. Ricciardelli, Tyler Rosen, Matthew Bobys, Melissa L. Miles, Theodore R. Grodek, Kirin Gupta, Lucy Kalar, Pavla Ovtchinnikova, Sam Rothbloom and Alexa O. Santry

March 10, 2026

Unregistered Broker Settles SEC Charges for Selling Unregistered Securities: Norton Rose Fulbright

An unregistered broker settled SEC charges for soliciting and selling unregistered securities to investors.

According to the Order, the firm, acting directly and through a team of approximately "42 sales agents, solicited and raised at least $25.2 million from over 1,200 investors" during the relevant period. The SEC found the firm sold these investors "Merchant Cash Advance Agreements," promising that the funds "would be used to make small business loans" and would yield 10% monthly returns alongside the return of the principal investment. The SEC found the broker received transaction-based compensation in the form of commissions for these sales despite not being registered as a broker-dealer.

The SEC found the firm violated Securities Act Sections 5(a) ("Sale or delivery after sale of unregistered securities") and 5(c) ("Necessity of filing registration statement") and Exchange Act Section 15(a)(1) ("Registration and regulation of brokers and dealers").

The firm was permanently barred from associating with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization.

March 10 2026

MSRB Monthly Municipal Market Trading Summary through February, 2026.

View the MSRB report.

Kennedy Introduces Reform Bill to Bolster Standards, Oversight at Bond Market Regulator.

WASHINGTON – Sen. John Kennedy (R-La.), a member of the Senate Banking Committee, introduced the Municipal Securities Rulemaking Board (MSRB) Reform Act, which would improve Board standards and put in place good-government reforms at one of the United States' most important securities regulators.

"The MSRB oversees a municipal securities market that is worth trillions of dollars in

public projects. It's supposed to represent the consumer. Instead, it's an insider's club. It's more incestuous than King Tut's family. Public seats on the board shouldn't be filled by executives who just quit their Wall Street jobs. These reforms are long overdue," said Kennedy.

The MSRB regulates the municipal bond market, which finances airports, roads and other public works. The fifteen-member board includes eight members belonging to the public sector and seven members representing the private sector.

With little oversight from the Securities and Exchange Commission (SEC) and Congress, the MSRB currently sets and approves its own budget, including the size of its members' paychecks. This lack of oversight has led to brazen abuses from members of the Board, with its President and Chief Executive Officer being paid more than $700,000 in 2024.

While the MSRB and SEC have made internal steps toward reform, Congress has failed to take permanent action.

Kennedy's bill would codify several internal changes taken by the MSRB and require a stricter oversight role for the SEC. Changes that the MSRB Reform Act imposes include:

- A policy that the Board's public sector representation be no less than five years removed from their association with a private municipal securities entity.
- A requirement that the SEC approve members of the MSRB committee and cap compensation for the Board.
- A stipulation that the number of Board members be permanently set at 15, with the majority of members representing regulated parties.

The American Securities Association (ASA) supports Kennedy's bill.

"ASA applauds Sen. Kennedy's MSRB Reform Act because it brings much-needed transparency and accountability to the MSRB's governance process. Reforming the MSRB's board will benefit investors by freeing our public finance markets from conflicted individuals pushing political anti-market agendas," said ASA President and CEO Chris Iacovella.

View the MSRB Reform Act here.

Mar 02 2026

MSRB Finds Structural Shifts Amid Declining Dealer Participation: Norton Rose Fulbright

In a new report, the MSRB concluded that the decline in the number of municipal securities dealers since 2016 has not resulted in materially increased market concentration, but instead reflects changes in trading structure and activity.

In its report, the MSRB found a decline in the total number of participating dealers executing customer trades in the municipal market. The MSRB said this contraction was driven primarily by the exit of firms with minimal trading activity, rather than the departure of major liquidity providers. The MSRB stated that the remaining dealers "have become much more active," with the proportion

of dealers handling significant trading volume—both in terms of trade count and total par amount—increasing substantially over the past decade.

The MSRB found that dealer concentration by par amount traded has become slightly less concentrated among the largest dealers in recent years, returning to near 2016 levels after peaking in 2020. The MSRB said this shift reflects a change in the composition of trading activity, as par volume increasingly moved away from block-size trades toward smaller trade sizes driven by retail investors, separately managed accounts, and exchange-traded funds. The MSRB noted that the market share left by Citigroup's early 2024 exit from the municipal securities business was absorbed by a broad range of dealers, including smaller firms, rather than being captured exclusively by the largest participants.

The MSRB also found that dealer concentration based on the number of trades executed followed an opposite pattern, experiencing a steady increase since 2020. The MSRB said this increased concentration in trade execution coincides with broader market developments, including: (i) a significantly larger presence of alternative trading systems, which accounted for 21 percent of all customer trades in 2025; (ii) elevated odd-lot trading activity; and (iii) the continued electronification of the municipal securities market.

Norton Rose Fulbright US LLP

February 24 2026

GASB Proposes Guidance to Assist Stakeholders with Application of Statement No. 103, Financial Reporting Model Improvements.

Norwalk, CT, February 25, 2026—The Governmental Accounting Standards Board (GASB) issued a proposed Implementation Guide today containing questions and answers intended to clarify, explain, or elaborate on the requirements related to subsidies in Statement No. 103, *Financial Reporting Model Improvements*.

The proposed implementation guidance on Financial Reporting Model Improvements—Subsidies contains eight new questions and answers that address the application of GASB requirements under Statement 103 related to subsidies. The proposed guide also includes amendments to Question 4.5 in Implementation Guide No. 2025-1, *Implementation Guidance Update—2025*, also related to subsidies.

The GASB periodically issues new and updated guidance to assist state and local governments in applying generally accepted accounting principles (GAAP) to specific facts and circumstances that they encounter. The guidance is developed based on:

- Application issues raised during due process on GASB pronouncements;
- Questions the staff receives throughout the year; and
- Topics identified by members of the Governmental Accounting Standards Advisory Council and other stakeholders.

The guidance in Implementation Guides is cleared by the Board and constitutes Category B GAAP, which is authoritative.

Stakeholders are asked to review the proposal and provide input to the GASB by April 27, 2026.

Comments may be submitted either in writing and addressed to the Director of Research and Technical Activities, who may be emailed at director@gasb.org, or through an electronic input form.

Explained: The ICMA's Climate Transition Bond Guidelines

The International Capital Market Association (ICMA) has released the Climate Transition Bond Guidelines, which is a framework for sustainable investment

The International Capital Market Association (ICMA) has released its Climate Transition Bond Guidelines (CTBG) – a framework designed to expedite the flow of capital towards energy-intensive sectors that are undergoing transformation.

While green bonds have traditionally been effective at channelling funding into technologies like EVs and renewables, many high-emitting sectors remain locked in older energy systems.

Heavy industries like steel, cement, chemicals and transport still account for roughly 40% of global greenhouse gas emissions, yet have historically faced barriers to accessing the sustainable bond market at scale.

Continue reading.

energydigital.com

By James Darley

February 18, 2026

SEC Strikes Again, Targeting a Municipal Securities Advisor through Unconstitutional Agency Hearings.

This week, Matthias O'Meara and Choice Advisors, LLC filed an appeal with the Tenth Circuit Court of Appeals, seeking restoration of their right to be heard by an independent judge and jury.

O'Meara founded Choice Advisors to help charter schools raise money by issuing bonds. The company's first two clients launched successful bond issuances, and the clients testified that the financings could not have been done without O'Meara. But the Securities and Exchange Commission (SEC) alleged that these transactions took place before O'Meara and Choice Advisors had completed their registration as municipal-securities advisors.

The agency sued them in federal court in California, which ultimately found O'Meara and Choice Advisors at fault. The SEC could have asked the judge to ban O'Meara and Choice Advisors from the municipal-securities industry—even though their clients were more than satisfied and even though the SEC didn't even allege investor loss. But instead, the SEC decided to take the industry-ban issue in-house.

Continue reading.

PACIFIC LEGAL FOUNDATION

By RACHEL CULVER

February 17, 2026

MSRB: Dealer Participation and Concentration in Municipal Securities Trading

View the MSRB report.

Feb 23, 2026

2025 MSRB Factbook.

Read the MSRB Factbook.

FAQs: Meeting the 2026 ARPA SLFRF Reporting Deadline

As the April 30, 2026 annual reporting deadline for American Rescue Plan Act's (ARPA) State and Local Fiscal Recovery Funds (SLFRF) approaches, many local governments have questions about the report and how to best prepare. Below, we provide answers to some of the most frequently asked questions (FAQs).

I'm trying to make sure I'm prepared for the 2026 annual report. Any tips?

- Ensure your SAM.gov registration is still active. Reminder: it must be renewed annually.
- Confirm that you can login to your SLFRF reporting portal.
- Verify that the Point of Contact information listed in the portal for your community is correct. This will ensure that Treasury outreach, including questions about submitted reports, will reach the right person.
- Ensure that you understand the status of your SLFRF projects, including project expenditures for the reporting period (April 1, 2025 – March 31, 2026).

Continue reading.

National League of Cities

by Dante Moreno

February 9, 2026

Execution over Allocation: Closing the Delivery Gap - Orrick / Bond Buyer Op-

Ed

Joshua Bonney shares insights in an op-ed in The Bond Buyer addressing three interconnected challenges to project delivery that municipal and infrastructure markets now face—escalating costs, regulatory bottlenecks, and imminent federal funding deadlines. To navigate these pressures, market participants should prioritize delivery-model flexibility, regulatory compliance management, and targeted risk allocation. As 2026 arrives, a new narrative is emerging, shifting the focus from securing funding allocations to securing project completion.

Key takeaways below:

1. Time-cost asymmetry creates a leverage trap. Projects scoped and budgeted in the early-cycle cost curve of an assumed transitory inflation period are experiencing budgetary shortfalls. Construction costs have not mean-reverted; they have reset at levels well above historical baselines. The resulting funding gap forces owners to incur additional debt, weakening credit fundamentals, widening credit spreads, and reducing leverage capacity. Each new layer of debt amplifies these adverse effects, forming a self-reinforcing leverage trap that raises the cost of capital, compresses project margins, and limits the value generated from each dollar of investment.

2. Regulatory compliance is a critical path constraint. Regulatory compliance—including Build America, Buy America (BABA)—is already contributing to delays, inflating costs, and disrupting supply chains for construction projects. For manufactured products, BABA requires that the product is manufactured in the United States and that the cost of components mined, produced, or manufactured in the United States exceeds 55 percent of the total cost of all components—a threshold that forces earlier sourcing decisions and sharper pricing discipline. Proactive owners are prequalifying domestic suppliers and pricing BABA compliance into procurement plans. Those that don’t risk losing time, margin, and funding eligibility.

3. Statutory deadlines create both urgency and contingent liability risk. Absent successor legislation, the Infrastructure Investment and Jobs Act authorizations expire on September 30, 2026. While valid obligations preserve these authorized funds beyond the statutory sunset, strict deadlines apply to obligation—the point at which a legal commitment creates an enforceable liability against available appropriated funds. Unobligated balances risk becoming stranded—and investors may increasingly view these awards as contingent liabilities rather than assets.

4. Bid shock forces a pivot to alternative delivery models. Throughout 2025, many owners experienced bids that exceeded allocated funding, and this trend is expected to persist in 2026. Owners may need to pivot toward alternative delivery models—such as progressive design-build—that allow early contractor engagement to optimize design and cost within funding constraints.

5. Winners will be decided on their ability to execute. The market will divide into winners and losers based on execution capability. The winners will proactively engage stakeholders, innovate in procurement to secure superior pricing, attract tier one counterparties, and maintain cost-effective access to capital markets. Their success will come down not to grants secured, but to infrastructure delivered.

Read the full article. (Subscription required.)

February.11.2026

Hot Topics in Municipal Bonds and Public Finance for 2026: McGuireWoods

Municipal issuers entered 2026 navigating a complex mix of policy priorities, market dynamics and operational risks. Three themes stand out across jurisdictions and sectors: accelerating the delivery of affordable housing through scalable financing models; managing arbitrage exposure due to the rate environment of the early 2020s; and strengthening cybersecurity readiness and disclosure practices amid persistent threat activity. Public finance professionals and capital markets participants should keep some practical considerations in mind.

Affordable Housing: Scaling Impact Through Programmatic Finance

Affordable housing remains a top priority for cities and states as supply-demand imbalances, construction cost inflation and demographic shifts exacerbate affordability pressures. Meeting these challenges requires programmatic, multitool financing approaches that move beyond stand-alone projects to large portfolios of projects.

Baltimore provides a powerful example of how to finance affordable housing at-scale through a tax increment financing program that can be adapted by other jurisdictions. In 2023, Mayor Brandon Scott launched Reframe Baltimore, a 15-year, $3 billion vacancy reduction initiative to convert vacant and blighted properties into affordable homes, expand homeownership opportunities and revitalize communities. The tax increment financing (TIF) district legislation drafted by the firm to support the bonds encompasses approximately 8,500 properties across 190 neighborhoods. The financing uses TIF bond proceeds to fund grants to homeowners, for nonprofit community entities, and small for-profit developers to renovate vacant units. Grants are expected to average $75,000 per property, enabling a comprehensive, citywide vacancy reduction and community redevelopment program. By channeling TIF bond proceeds directly into rehabilitation grants, Baltimore can catalyze private investment, accelerate the return of properties to productive use and broaden access to quality affordable housing.

Continue reading.

February 10, 2026

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MSRB Rule D-15 Defining the Term Sophisticated Municipal Market Professional: SIFMA Comment Letter

Summary

SIFMA provided comments to the Municipal Securities Rulemaking Board (MSRB) on MSRB Notice 2025-082, and applauds the MSRB’s goal to modernize the rules while continuing to provide appropriate municipal entity and investor protections without placing undue compliance burdens on regulated entities.

Excerpt

SIFMA appreciates this opportunity to provide input on MSRB Notice 2025-08 2 , and applauds the

MSRB's goal to modernize the rules while continuing to provide appropriate municipal entity and investor protections without placing undue compliance burdens on regulated entities.

In furtherance of this goal:

- Qualifying municipal entities can determine whether to certify as an SMMP to take advantage of certain broker-dealer trading services and are not required to do so.
- MSRB should reject the proposed new threshold for SMMP qualification for municipal entity customers.
- MSRB should approve the removal of the customer affirmation requirement to qualify for SMMP status for all Registered Investment Advisers ("RIAs").

Continue reading.

February 2, 2026

Regulators Keeping an Eye on Post-Pricing Bond Trade Ups.

Regulators' focus on whether municipal market participants are fulfilling their fiduciary duty during primary market bond sales is partly driven by the issue of bonds trading up in price immediately after a negotiated deal compared to a competitive deal.

That's according to Dave Sanchez, director of the Securities and Exchange Commission's Office of Municipal Securities, and Gene Davis, a regulator with the Financial Industry Regulatory Authority. The duo highlighted the issue Thursday during a two-day compliance outreach program for municipal advisors and municipal securities dealers hosted by the SEC, FINRA and the Municipal Securities Rulemaking Board.

"We're looking at the difference in pricing between competitive and negotiated [deals] and what's happening post-pricing," Sanchez said. "There's enough there to be concerning [that] some folks aren't doing the job they should be doing, particularly on the municipal advisor side," he said.

The issue is part of the long-standing municipal market debate over whether negotiated or competitive deals are better for bond issuers. Municipal advisors have more responsibility to the issuer in the area than broker dealers under MSRB rules.

"The activity that we're concerned about is happening more often and on a bigger level on the negotiated sale side, and that's why we have highlighted this as an issue, particularly with respect to municipal advisors," Sanchez said.

Deals priced through a conduit issuer seem to have lower trade ups compared to deals brought by a government entity, he added. "I feel like it's maybe because the conduit is paying a lot more attention to the pricing [than the government entity] and may be less likely to allow that kind of trade up," he said.

When bonds trade up – increase in price – immediately after a sale, it signals the issuer may not have received the lowest yield possible. It's important to regulators because "inefficient pricing" means issuers, and therefore taxpayers and ratepayers, are not getting the best price, Sanchez said.

"The logical question is, why did it trade up if it was priced correctly?" said FINRA's Davis. "If we

see something that traded up, we will ask, what happened here?" he said. "There may be a completely reasonable extenuating circumstances so that's what we want to get an understanding of."

FINRA is looking for "some movement" between preliminary pricing and the final scale if, for example, a deal is oversubscribed. "If there's not movement, that's probably where you're going to hear from an examiner," he said. The best practice is to document the pricing process and the steps taken in building a book of demand, he said.

A two or three basis points trade up is not likely to attract attention and regulators take into account larger market moves that might affect deal prices, Sanchez said. But if "you're still eight basis points off the market, it's fair for people to be skeptical of that," he said.

The growth of technology and artificial intelligence in the market is shedding more light on the issue, Sanchez said.

"It's way easier to track pricing now," he said. "Regulators are going to be using that information to start the conversation, so people should not be surprised that it's happening."

By Caitlin Devitt

BY SourceMedia | MUNICIPAL | 01/23/26 02:11 PM EST

Munis Are Getting A Climate Risk Check From ICE Data.

ICE Climate Data flagged several municipal bond deals for elevated flood and wildfire exposure, though it says the scores are not credit ratings or investment advice.

What's going on here?

Some municipal bond deals are getting extra pre-sale scrutiny after ICE Climate Data flagged elevated exposure to floods, wildfires, and hurricanes using its new risk scores.

What does this mean?

ICE's Climate Risk Score runs from 0.0 to 5.0 and rolls up modeled physical hazards, with 3.0+ labeled "high" risk. This week, several new muni offerings landed above that line, including Virginia Beach's flood score (4.2), Finney County, Kansas' flood score (4.0), San Diego County's wildfire score (3.5), and overall scores like Volusia County, Florida (4.6) and Port Neches–Groves ISD, Texas (4.3). The point isn't to replace credit ratings: ICE says the metrics aren't NRSRO ratings or assessments of creditworthiness. But by putting a comparable number next to an issuer's location, the data can surface questions about infrastructure, insurance, and how quickly a tax base could be hit by extreme weather.

Why should I care?

For markets*: Muni pricing may get a new input.*

Munis are usually judged on budgets, tax bases, and traditional ratings. Add a standardized climate metric and investors can more easily split "similar bonds, different physical risk," potentially demanding a bit more yield from higher-scoring areas to compensate for disruption or rebuilding

costs – even if the score is not a rating.

The bigger picture*: Resilience spending could move from nice to necessary.*

Once physical risk is quantified and shows up in deal coverage, issuers may face more pressure to explain mitigation plans and long-term maintenance. Over time, that can influence what projects get financed, how insurers and lenders price exposure, and how cities defend their ability to raise revenue after major weather events.

MSRB Municipal Securities Market Trading Summary.

Read the MSRB Summary.

Feb 2, 2026

GASB Statement No. 105, Subsequent Events: What State and Local Government Financial Leaders Need to Know

On December 17, 2025, the Governmental Accounting Standards Board (GASB) released GASB Statement No. 105, *Subsequent Events* (GASB 105 or Statement), providing guidance on financial reporting for subsequent events. This article summarizes the key requirements and offers practical examples for government financial professionals.

History and Background

The Role of the GASB

The GASB was established in 1984 as an independent, private-sector organization to develop accounting and financial reporting standards for U.S. state and local governments. GASB's mission is to promote clear, consistent, and comparable financial reporting, thereby increasing transparency and accountability for public sector entities.

Why This Statement?

The GASB issued GASB 105 to improve financial reporting requirements for subsequent events, thereby enhancing consistency in their application and better meeting the information needs of financial statement users. Prior guidance for subsequent events found in GASB Statement No. 56, Codification of Accounting and Financial Reporting Guidance Contained in the AICPA Statements on Auditing Standards (GASB 56), as amended, was based on the AICPA's auditing standards for subsequent events. Research by the GASB identified challenges in understanding and applying GASB 56, including confusion over recognized vs. nonrecognized events and inconsistent note disclosures.

Continue reading.

bdo.com

by Sam Thompson

Assurance Technical Director

February 02, 2026

Consulting Firm Settles SEC Charges for Unregistered Municipal Advisory Activity: Norton Rose Fulbright

An education consulting firm settled SEC charges for acting as an unregistered municipal advisor when it provided advice to charter schools on the issuance of municipal securities.

According to the cease-and-desist Order, the firm provided advisory services to four charter schools in connection with municipal securities issuances that raised over $50 million. The SEC found that between May 2020 and November 2023, the firm advised clients on the structure, timing, and terms of the issuances, as well as the selection of underwriters and the affordability of debt service payments. The SEC stated that the firm's involvement extended to preparing financial projections for offering documents, advising on credit ratings, and interacting with prospective investors. The SEC found that the firm provided advice as to the specific needs and objectives of each client and charged fees for these services, but that the firm failed to register with the Commission as a municipal advisor.

As a result, the SEC charged the firm with violating SEA Section 15B(a)(1)(B) ("Municipal Securities").

The firm agreed to a cease-and-desist Order, a censure, and a civil money penalty of $30,000.

Norton Rose Fulbright US LLP

January 26 2026

Map Reveals America's Most Vulnerable Drinking Water Utilities.

Researchers at Carnegie Mellon University have developed what they describe as the first publicly accessible Drinking Water Utilities Climate Risk Index for the U.S., a tool designed to measure how prepared water systems are for worsening climate extremes.

Their findings, now published in *Communications Earth & Environment*, show significant vulnerabilities across the country—and major gaps between the risks utilities face and what they report to investors.

The study compared 1,455 medium and large drinking water utilities with the information those same utilities provide in their municipal bond disclosures. By aligning physical climate threats—such as drought, flooding and extreme heat—with the financial records used to issue debt, the researchers found that millions of Americans rely on water systems that are far more exposed to the negative impact of climate change than official documents suggest.

Continue reading.

newsweek.com

By Melissa Fleur Afshar

Jan 28, 2026

Climate Change Risk Index and Municipal Bond Disclosures of United States Drinking Water Utilities.

Abstract

Climate change increases risks to the operations and financial reliability of drinking water utilities across the United States (US). Here we develop a comparative climate risk index that includes hazard, vulnerability, and exposure components for 1455 medium and large municipal US drinking water utilities. We find that 67 million customers are serviced by utilities with higher climate risk. Drinking water utilities in the Western US have higher risk due to expected large changes in climate hazards, while utilities in the Northeast and Midwest have higher risk due to existing vulnerabilities and exposure. We use this climate risk index, along with an analysis of municipal bond official statements, to identify utilities in need of climate adaptation and resilience planning. Of the analyzed bonds, 36% were issued by high risk utilities and didn't mention climate change. This work offers recommendations for multiple decision-makers, including utility customers, bond purchasers, and government agencies.

Introduction

Drinking water utilities across the United States (US) are exposed to current and future climate change impacts that could affect their ability to provide adequate quantity and quality of water to consumers. The types of climate hazards and magnitude of anticipated changes vary among utilities, due to regional physical climatic conditions. Utilities also vary in their ability to prepare for and recover from negative effects of climate hazards, given differences in existing infrastructure systems and financial resources. Understanding how drinking water utilities are exposed and vulnerable to multiple aspects of climate change can identify gaps in climate resilience planning1. Integrated multi-component quantitative measures of drinking water utility climate exposure and vulnerability are needed to compare different climate risks facing different utilities and to inform public funding and investment strategies.

The extent to which climate change poses risks depends on the interaction of climate hazards (the climate change-induced physical events and changes that may cause loss of life, injury, or other health impacts) with the exposure (the people and assets in harm's way of those hazards) and vulnerability (the propensity of those people and assets to be adversely affected) of human and natural systems2,3. Most current publicly-available climate service tools do not consider exposure and vulnerability in measures of climate risk, resulting in ineffective assessments of how prepared a system is to manage climate hazards4.

Continue reading.

Nature.com

by Zia J. Lyle, Jeanne M. VanBriesen & Constantine Samaras

26 January 2026

MSRB Advances Rule Modernization and Market Transparency Initiatives and Discusses Strategic Plan at Quarterly Board Meeting.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) met on January 28-29, 2026, holding its second quarterly meeting of fiscal year 2026. MSRB's Board covered topics including the retrospective rule review and harmonization processes, market transparency initiatives and forthcoming FY 2026-2030 strategic plan.

"MSRB is committed to ensuring our regulatory framework keeps pace with an evolving market," said MSRB Board Chair Natasha A. Holiday. "We will continue actively engaging market participants as we work to align our rules with current market practices, enhance the quality of our data and modernize our market transparency systems in serving our congressional mandate to protect investors, issuers and the public interest."

Market Regulation

The Board discussed the ongoing retrospective rule review process and regulatory matters including:

- Rule G-20: Authorized staff to harmonize Rule G-20 on gifts and gratuities with proposed amendments to FINRA Rule 3220.
- Rule G-27: Discussed potential further steps in modernizing MSRB's dealer supervision rule following MSRB's RFC.
- Rule G-12(h): Reviewed current close out practices to assess the effectiveness of existing rule requirements in this area.
- Rule G-32: Discussed current and future steps to ease compliance with Form G-32 submission requirements.
- Received a report on the forthcoming RFC to retire the use of the term "financial advisor" and discussed further steps, including sequencing of regulatory initiatives, in connection with the municipal advisor retrospective rule review.

Market Transparency and Public Accountability

The Board received several updates on market transparency and public accountability initiatives, including:

- Recently published and planned research, including the 2025 Year in Review report released earlier this month.
- A review of MSRB's 2025 Annual Report, which was released last week.
- Continued work on the forthcoming new version of the Electronic Municipal Market Access (EMMA) website.
- A demonstration of the modernized data repository that underpins EMMA and other MSRB data collection and dissemination systems.

Strategic Plan

The Board reviewed MSRB's draft FY 2026-2030 strategic plan and the feedback provided by stakeholders on MSRB's objectives of regulatory modernization, market transparency and public accountability. The Board expects to adopt the strategic plan later this spring.

Date: January 29, 2026

Contact:
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MSRB 2025 Annual Report.

MSRB's annual report for the 2025 fiscal year provides an overview of the organization's regulatory initiatives, operational performance, and financial position. The report highlights MSRB's key accomplishments and stakeholder outreach efforts during the year, including its 50th anniversary celebration.

> "Advancing fairness and efficiency in the $4 trillion municipal market requires more than MSRB's efforts alone. It's through ongoing engagement and a dynamic feedback loop with our stakeholders that we strengthen both the market and the communities it serves."
>
> *Natasha A. Holiday, Board Chair*
> *Mark Kim, Chief Executive Officer*

The report discusses MSRB's ongoing efforts to enhance market transparency, streamline regulation, and engage stakeholders in promoting a fair and efficient municipal securities market. Included in the report are MSRB's audited financial statements for the fiscal year that ended September 30, 2025, which provide transparency on how the organization manages its resources and financial reserves.

Modernizing Market Regulation

- ***Trade Reporting***: MSRB rescinded the not yet effective amendments to Rule G-14 requiring trades to be reported within one minute, retaining the 15-minute reporting standard but amending the rule to require dealers to report trades "as soon as practicable."
- ***Retrospective Rule Review***: MSRB maintained its focus on retrospective rule reviews to ensure its rules are achieving their intended purposes and don't create unnecessary burdens, launching five major reviews of existing rules.

Enhancing Market Transparency

- MSRB continued its technology system modernization initiative. The new EMMA, which MSRB expects to launch in 2026, will offer a modern look and feel, easier navigation, a customizable dashboard, enhanced search tools, and new data, including obligor information for the first time in MSRB history.

Advancing the Public Trust

- MSRB held robust discussions with stakeholders on key topics including the new EMMA, the FY2026 budget and a new multi-year rate card, while also engaging proactively around its forthcoming strategic plan.
- MSRB spotlighted its 50th anniversary and its upcoming cost-saving move to a new office space.

Download the MSRB 2025 Annual Report and Audited Financial Statements

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MSRB Announces Discussion Topics for Quarterly Board Meeting.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) will meet on January 28-29, 2026, to hold its second quarterly meeting of fiscal year 2026. Highlights of the Board discussion will include:

Market Regulation

The Board will discuss regulatory matters and receive updates on several ongoing initiatives, including:

- Rule G-20: Gifts and Gratuities, as part of harmonization initiatives with FINRA rulemaking
- Rule G-12(h): Review of close out practices
- Updates on retrospective rule review initiatives, including current and future steps for dealer supervision, Form G-32 and municipal advisor reviews and outreach

Market Transparency and Public Accountability

The Board will receive several updates on market transparency and public accountability initiatives, including:

- Recently published and upcoming research
- Development of the modernized Electronic Municipal Market Access (EMMA) website
- Stakeholder feedback on the FY 26-30 strategic plan

Leadership Updates

Bo Daniels, former Board Chair, has been reappointed to the Board for the remainder of the fiscal year ending September 30, 2026. Daniels fills the vacancy created by the departure of Vivian Altman, who was serving as a broker-dealer representative on the Board.

MSRB is also pleased to welcome Yetunde Olumide as its Chief Financial Officer (CFO). Prior to joining MSRB, Olumide served as CFO and Executive Vice President for the Washington Metropolitan Area Transit Authority. She is an Aspen Global Leader Network (AGLN) Finance fellow and serves on the board of the Conference of Minority Transportation Officials (COMTO).

“Yetunde brings tremendous talent and municipal market experience as an issuer to her new role as our CFO, and I am delighted to welcome her to the senior leadership team,” MSRB CEO Mark Kim said. “Her proven track record in managing complex public sector organizations will strengthen MSRB’s financial operations as we advance our mission to protect investors, issuers and the public interest.”

Date: January 21, 2026

Contact:
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Hoping for Change: Remarks at the SEC Joint Compliance Outreach Program for Municipal Market Professionals

Washington D.C.

Jan. 22, 2026

Commissioner Hester M. Peirce

Good afternoon, and welcome to the second day of the Joint Compliance Outreach Program. My views are my own as a Commissioner and not necessarily those of the SEC or my fellow commissioners.

About 100 years ago, my hometown of Cleveland, Ohio, which sits on Lake Erie and is bisected by the Cuyahoga River, was grappling with the growing pains of a new century. The city had grown mightily on both sides of the river, and traffic snarled the existing thoroughfares, which only connected certain parts of the city. Rapid industrial growth had led to massive pollution in Lake Erie, which threatened Cleveland's clean water supply. Faced with these challenges, Cleveland did what municipalities do when encountering an infrastructure challenge: it issued municipal bonds and built.

To handle the traffic, Cleveland built the Hope Memorial Bridge, famous for the Art Deco statutes called the Guardians of Traffic, from which Cleveland's baseball team now draws its name.[1] To handle the water pollution, it built the Baldwin Water Treatment Plant, a groundbreaking technological achievement at the time.[2] Both structures are still standing and operating today, a testament to the importance of what is accomplished by your industry.

Over the past century, the physical structures of the Hope Bridge and Baldwin plant have been updated repeatedly in response to new technologies and innovations. While the municipal securities industry has also adopted new technologies and innovations, we must be honest: the pace of change here has often been slower than in other corners of our capital markets. Today I want to briefly touch on a potentially transformative innovation—tokenization—which is drawing a lot of interest in those other corners of our capital markets and may soon come to yours.

Tokenization offers potential benefits, including atomic settlement, facilitation of extended hours trading, and easier pledging of assets as collateral. Some of those benefits may not be relevant to municipal securities, but others, such as the ability to offer smaller minimum purchase amounts or the potential to enhance secondary market liquidity, may be highly appealing to municipal issuers or investors. As many of you likely know, the first tokenized offering of municipal securities in the United States occurred in 2024 in Quincy, Massachusetts.[3]

Wide-scale tokenization of municipal securities is not inevitable. Unique features of the municipal securities market—including its retail nature, the sheer number of issuers, and the complex interplay between state law, securities law, and tax law—may nullify some of the benefits of tokenization. Regulators are not good predictors of—let alone good drivers of— innovation. But we ought to work hard to accommodate technological change. So I want to extend an invitation: please come speak to us as the efforts involving tokenization—or any new technology—develop. Tell us when you encounter issues or rules that may be obstacles to change because they were written in an era of ink and paper, without these new technologies in mind. Ask us for clarity when needed. Do not wait until that new technology is knocking on your door. Come talk to us when you see it walking

down the street toward you.

To highlight an example of what happens when our rules languish unaffected by the changing world they govern, we need only look at the recent off-channel communications cases. During the previous administration, the Commission brought a series of enforcement actions against broker-dealers, municipal advisors, investment advisers, and nationally registered securities rating organizations, which netted billions of dollars in penalties. The SEC claimed that virtually everyone had violated our recordkeeping rules by failing to capture electronic communications like text messages or WhatsApp chats.

I had a lot of issues with these cases, and they are, in my view, a prime example of what happens when regulators fail to accommodate technological and societal changes in how humans actually interact. One of today's discussion panels concerns enforcement, and compliance with these recordkeeping obligations may be a discussion topic. Rather than forcing our registrants to try to figure out how to comply with rules written for a different world, the SEC should work with industry to modernize these rules for all affected entities with a sensible pragmatism. The Commission, firms, investors, and other market participants are all better off when our rule books reflect the realities of the world in which we live.

Thank you again. I hope you have a fascinating and productive discussion today.

Wells Fargo Clearing Fined $1.25M For 493 Muni Bond Trade Violations.

Wells Fargo Clearing Services agreed to pay a $1.25 million fine and accept a censure from the Financial Industry Regulatory Authority for failing to properly resolve 493 municipal securities trades across a seven-year stretch, according to a settlement letter released last week.

According to the letter, Wells Fargo Clearing Services, a broker-dealer subsidiary of Wells Fargo, failed to close out hundreds of inter-dealer municipal bond transactions on time and did not promptly obtain possession or control of customer securities tied to those trades.

The violations spanned more than seven years, from November 2016 through November 2023, and involved $14.4 million in municipal securities.

The clearing service neglected to cancel or close out 209 failed inter-dealer transactions in municipal securities totaling approximately $6.5 million, the letter said. During the same period, Wells Fargo also failed to timely deliver 106 municipal securities totaling about $3.8 million.

"We are pleased to resolve this matter," said Meghan McDonald, Wells Fargo's lead communications consultant in wealth and investments, adding that the firm updated the relevant supervisory procedures when the deficiencies were discovered.

Broker-dealers are required to cancel or close out failed inter-dealer municipal securities transactions within a maximum of 20 calendar days after settlement, including any permitted extensions, the letter said. The rule is designed to reduce systemic risk and prevent unresolved trades from lingering on firms' books.

Roughly half of the firm's failed trades remained unresolved for more than 50 days, well beyond the regulatory limit.

As part of the settlement, Wells Fargo consented to the findings without admitting or denying the allegations. The $1.25 million penalty includes $937,500 tied to violations of MSRB Rules G-12 and G-27, which governs supervisory systems.

Although firms do have several options to close out failed trades—including buy-ins, substitutions with comparable securities, or repurchase transactions—Finra said Wells Fargo relied primarily on repeated buy-in attempts even when those attempts were unsuccessful and unlikely to resolve the positions within the required timeframe.

In addition to the close-out failures, the authority said the firm violated customer protection rules by failing to promptly obtain physical possession or control of municipal securities when customer accounts were left “short” due to failed trades.

From 2016 through 2023, Wells Fargo failed to take timely steps to obtain possession or control of 178 municipal securities positions totaling approximately $4.1 million that had remained unsettled for more than 30 calendar days, according to the settlement letter.

Finra also cited supervisory breakdowns as a key factor in the violations. The firm failed to establish and maintain a supervisory system, including written supervisory procedures, reasonably designed to ensure compliance with municipal close-out rules and customer protection requirements.

Specifically, Wells Fargo’s written procedures did not provide adequate guidance on available close-out options or effectively track whether failed inter-dealer transactions were being resolved on time.

The deficiencies were uncovered during a routine Finra examination of the firm, the letter said

The letter said Wells Fargo updated its systems and revised its written supervisory procedures in December 2023 to address municipal trade fails and document the changes.

fa-mag.com

January 12, 2026 • Jennifer Lea Reed

Some New Muni Bonds Come With Big Climate-Hazard Exposure.

ICE Climate Data flagged several issuers this week for high flood, wildfire, or overall physical climate risk — a reminder that location-specific hazards can matter for bond investors.

What’s going on here?

New municipal bond deals are coming to market with unusually high climate-hazard exposure, based on ICE Climate Data cited by MT Newswires.

What does this mean?

ICE labels “high” physical climate risk when its hazard score hits 3.0+ on a 0.0–5.0 scale, combining flood, wildfire, and hurricane models into a composite score. This week, some issuers cleared that bar: Bourne, Massachusetts priced about $17 million with a Flood Score of 4.7, and York, Maine sold roughly $14 million with a Flood Score of 4.4. California’s Aromas-San Juan Unified School District issued about $25 million with a Wildfire Score of 3.7, while Texas issuers Sunrise Beach Village ($12

million) and San Diego Independent School District ($5 million) showed total Climate Risk Scores of 4.0. For muni investors, that's a reminder that "where" matters – physical hazards can hit property values, shrink tax bases, and raise long-run infrastructure costs.

Why should I care?

For markets: ***Measurable risk has a way of showing up in yields.***

Munis are often treated as steady, but climate analytics give investors a more consistent way to compare location-driven exposure across issuers. When new deals come with flood or wildfire scores in the 4s, buyers may push for tighter disclosures and resilience plans, or demand extra yield to offset uncertainty – especially for smaller issuers with less financial flexibility.

Zooming out: ***Climate risk is turning into a finance input, not just an ESG label.***

ICE's metrics aren't credit ratings, but they can still signal where future spending pressure might land – from flood defenses to wildfire mitigation and storm repairs. As standardized scores show up earlier in the issuance process, they could influence what projects get funded, how they're designed, and how investors think about an issuer's ability to keep collecting revenue over decades.

Finimize.com

SEC Focuses on VRDO Rate-Resetting Process Amid Ongoing Lawsuits Against Banks.

The Securities and Exchange Commission will review broker-dealers' process for resetting interest rates on variable-rate demand bonds as part of its 2026 examination priorities as the issue has gained attention last year from lawsuits alleging fraudulent practices by Wall Street rate-resetters.

The SEC's Fiscal Year 2026 Examination Priorities includes "the rates reset process on variable rate demand obligations," under its focus on broker-dealer practices in municipal securities.

It's the first time the regulator has named VRDO rate-resetting practices as an area of review.

The focus comes as the long-standing, state-level False Claims Act lawsuits brought by Minnesota-based municipal advisor Johan Rosenberg continue to wind their way through the courts. The lawsuits in California, New York and New Jersey accuse top Wall Street banks' of rigging the interest rates on their VRDOs. The New York case last year analyzed the banks' rate-setting practice over the course of a two-day hearing. An Illinois case was settled in October 2023 for $70 million.

"It wouldn't surprise me if that litigation colored the SEC's choice about including this as an exam priority," said Michael Decker, senior vice president for research and public policy at the Bond Dealers of America.

"My guess is that it's that litigation, and the statements and actions around that litigation, that have motivated the SEC."

An SEC spokesperson confirmed that the VRDO rate reset process was not included in previous published annual priorities.

“In developing the examination priorities, the Division of Examinations considers multiple sources of information, including information received from other commission divisions and offices and prior examinations, to identify the areas we believe exhibit the highest risks to investors and the markets or are trending in that direction,” the spokesperson said.

Rosenberg filed the complaints under the name of a Delaware-incorporated entity called Edelweiss Fund LLC. Edelweiss sued on behalf of the states and their entities that issued variable-rate debt and entered into contracts with banks as remarketing agents and liquidity providers.

Edelweiss accuses the banks of conspiring to keep VRDO interest rates high in a “robo-resetting” scheme so investors would not exercise their rights to tender the VRDOs back to the banks serving as remarketing agents, thus allowing the banks to collect fees for serving as RMAs and for providing letter of credit services for a fee without having to actually remarket the bonds.

A two-day hearing in the New York case last March dug deep into banks’ rate-resetting process with Judge Andrew Borrok peppering attorneys from both sides with dozens of specific questions about how their rate-resetting processes worked. Borrok in April rejected the bank’s motion for dismissal in a strongly worded 44-page opinion that lambasted many of the banks’ arguments.

The banks’ appeal of that ruling is set to be heard on Feb. 21. The Superior Court of San Francisco County will hear oral arguments on summary judgments in the California case on Feb. 19. The New Jersey Supreme Court has agreed to hear an appeal – likely in the spring – of a lower court’s decision that granted summary judgment to the banks.

The amount of VRDOs in the municipal bond market has fallen dramatically since 2008 but firms that provide rate-resetting practices are serious about compliance, Decker said.

“Most firms take the process seriously, and especially since the lawsuit has been filed and as it has progressed incrementally in the plaintiff’s favor,” he said. “We always pay attention to what the SEC is focused on,” Decker said. “For the firms that do VRDO remarketing work, this compliance around that process was probably top of mind anyway.”

By Caitlin Devitt

BY SourceMedia | MUNICIPAL | 01/09/26 11:15 AM EST

The Effect of Environmental Regulations on Municipal Bonds.

Air pollution regulations in the United States are intended to protect public health, but a new study has found that they also carry an unexpected cost: higher interest rates on the bonds used by counties to fund schools, hospitals, and infrastructure. When a county falls out of compliance with the ozone standards set by the U.S. Environmental Protection Agency (EPA), borrowing becomes costly. As a result, the municipality faces higher costs to fund public infrastructure like schools, hospitals, and roads.

The study, published in Management Science, was conducted by Akshaya Jha, assistant professor of economics and public policy at Carnegie Mellon’s Heinz College of Information Systems and Public Policy. Nicholas Z. Muller of Carnegie Mellon’s Tepper School of Business and Stephen A. Karolyi of George Mason University’s Costello College of Business coauthored the study; Karolyi previously taught at Carnegie Mellon.

“In our work, we present two findings on how uncertainty in environmental policy affects municipal bond returns,” explains Jha. “We found evidence that ties these short-run municipal bond market reactions to long-term changes in pollution and housing prices. Our findings suggest that increases in either regulatory stringency or uncertainty over future environmental policy boost the cost of municipal debt raised to fund schools, hospitals, and critical infrastructure.”

Counties that are noncompliant with the Clean Air Act, which sets thresholds for pollutants like ozone, face repercussions. Past research has found that federal standards produce considerable health benefits relative to the costs of complying. But for municipal bonds investors, this raises two concerns: a higher risk of default as a result of strained county finances and uncertainty over how regulations will change.

In their study, researchers considered announcements related to when the EPA proposes and finalizes new standards for ozone and when the agency releases its annual list of counties that are in or out of attainment. These announcements produce information shocks, which provide an opportunity to track how bond markets update their expectations.

In this study, researchers analyzed more than 140 million trades between 2005 and 2019, measuring changes in municipal bond yields around these types of announcements. Among their findings:

- When new standards were proposed, yields increased 1% to 4%, reflecting a rise in investor-perceived uncertainty.
- Once the EPA announced the final standard, the estimated yields declined approximately 0.5% to 1.3% as a result of a corresponding decrease in uncertainty.
- Based on an analysis of the EPA’s annual compliance announcements, counties that slipped into nonattainment saw yields rise nearly 1% more than counties that maintained their status or newly achieved attainment.The study has significant implications for policymakers, local officials, and investors, say the authors. For policymakers and local officials, the findings highlight the repercussions of environmental regulations for public finance. For investors, the results suggest that traditionally safe assets like municipal bonds are sensitive to risks associated with environmental policy.

The authors plan to continue their work, focusing on areas in which environmental rules affect local finance, such as commercial real estate.

“By examining how financial markets respond to environmental regulation, we hope to shed light on the hidden economic tradeoffs and potential unintended consequences of well-intentioned policies,” says Nicholas Z. Muller, Lester and Judith Lave Professor of Economics, Engineering, and Public Policy at Carnegie Mellon’s Tepper School of Business. “While past studies have shown that more stringent air quality standards have generated billions of dollars in public health improvements, our work shows that these benefits occur partly as a result of investors anticipating the effects of standards and the costs of noncompliance.”

by Carnegie Mellon University’s Heinz College

edited by Andrew Zinin

January 10, 2026

MSRB Seeks Comment on Draft Amendments to MSRB Rule G-27 on Dealer Supervision.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today published a request for comment (RFC) on draft amendments to MSRB Rule G-27 as part of its ongoing retrospective rule review of the supervisory obligations of dealers in the municipal securities market.

The RFC is the first step in MSRB's review of supervisory obligations in response to the evolution of business practices since the rule was last substantially reviewed and revised. MSRB also plans to engage in a series of industry outreach initiatives this year as part of its ongoing engagement efforts to address dealer requests for greater flexibility and modernization of the supervisory framework. Similarly, MSRB remains committed to working with fellow regulators to ensure regulatory consistency across fixed-income markets.

"We recognize that technological advancements have evolved market practices and workplaces with respect to remote supervision," MSRB Board Chair Natasha Holiday said. "The market is better served when there is a clear understanding of how to interpret the rules of the road and when the regulatory framework reflects current market practices."

The draft amendments to Rule G-27 seek to add clarity to the term "structuring of public offerings or private placements" within the definition of "office of municipal supervisory jurisdiction," and to increase the 30-business day per year exclusion from the municipal branch office registration for locations other than a primary residence.

In addition to the proposed amendments, MSRB's RFC seeks comments more broadly on additional areas of Rule G-27 that should be included in MSRB's retrospective rule review, including what aspects of the rule MSRB should focus on that would be most relevant to how dealers engage in business today and into the future.

The proposed amendments would not alter dealers' existing regulatory obligations to establish and maintain reasonably designed supervisory systems, as well as compliance policies and procedures that are effectively implemented, updated, and enforced.

Responses to this RFC are due March 16.

For additional details, read the Request for Comment.

Date: January 14, 2026

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MSRB Notice: Designation Information Regarding Mandatory Participation in Business Continuity and Disaster Recovery Testing

Read the MSRB Notice.

1/16/26

MSRB 2025 Municipal Market Year in Review.

MSRB's 2025 Municipal Market Year in Review report, podcast and webinar analyze key developments in the municipal securities market in 2025, an extraordinary year for the market on many levels, discussing yields, trading volume, new issuance, and mutual fund and ETF flows. They compare 2025 to 2021, a record low year for trading volumes, and reveal some fundamental shifts in the market over the past five years as it has become increasingly electronic.

- **Report** — Read our full report on the municipal securities market in 2025 (pdf).
- **Webinar** — Watch MSRB Chief Market Structure Officer John Bagley discuss the report in depth (online).
- **Presentation** — Download the webinar slides (pdf).
- **Podcast** — Listen to MSRB Chief Market Structure Officer John Bagley discuss the report's key findings (online and via podcast apps).

MSRB: Fundamental Shifts in Muni Market are 'New Normal.'

Last year's record high trading activity, both by volume and par amount, marks a fundamental shift in the municipal bond market that's here to stay.

That's according to Municipal Securities Rulemaking Board officials, who made the comments Thursday during the group's first year-in-review webinar on the heels of what CEO Mark Kim called "an extraordinary year."

Last year notched a second straight record for primary market issuance, at $580 billion, as "more state and local governments issued more municipal bonds to finance more public infrastructure than at any other period in the history of this market," Kim said. Issuers' borrowing needs are unlikely to abate this year, the group said.

In the secondary market, trading volume hit all-time highs, both by the number of trades and by total par traded. Both represent "double-digit increases" over 2024, Kim said. Last year marked the fourth consecutive year of record trade count, the MSRB said.

"This is a very exciting time for us to be in the municipal securities market," Kim said. "We do not believe that 2025 is a one-off year and these historic levels of market activity will return to their historic averages," he said. "We believe 2026 will see a continuation of these multi-year trends … and represent a fundamental shift in the structure of the municipal securities market being driven primarily by the electronification of our market."

More money is pouring into separately managed accounts and investors are turning to exchange traded funds, especially during periods of volatility, as was seen last April during "Liberation Day" market turmoil. Alternative trading systems executed more than one in five customer trades, MSRB said.

ETFs saw record net inflows last year – reaching $46 billion in 2025 compared to $17.4 billion in 2024. Since 2022, tax-exempt ETFs have seen net inflows of about $106 billion, while tax-exempt mutual funds have seen net outflows of more than $122 billion, the MSRB said.

More than 50% of all interdealer trades last year were routed through electronic trading exchanges,

the MSRB said, which Kim called “a tipping point.” The volume of live quotes and bid-wanteds saw significant increases.

The market changes have been underway for the past five to seven years, said MSRB chief market structure officer John Bagley. “The electronification of the market is upon us, both the buy and sell side,” Bagley said.

Institutional investors are increasingly adopting electronic and algorithmic trading, the MSRB said. When a firm adopts algorithmic trading, “their trade count goes up like a hockey stick,” Bagley said.

There were 17.6 million trades in 2025, up 22% from 2024. Par amount traded in fixed-rate securities was up 14% compared to 2024 and 59% compared to 2021, and total par amount (including variable-rate securities) was the largest since 2008, the group said.

There’s also been a “dramatic increase” in odd-lot trading with the average trade size coming down over the last five or six years, Bagley said.

“This is not a bad thing,” he said. “It’s consistent with the market becoming electronic and more participants willing to buy odd-lots,” which are under $100,000. The trend accounts for why trade volume exceeded par amount, he added.

In a report released this week, the MSRB said it expects 2026 to mark another year of record or near-record bond issuance. But “we are far less confident about another trade-count record,” the group said. “After the amazing increase in the past five years, it seems that trade count could decline somewhat, depending on where interest rates go in 2026.”

By Caitlin Devitt

BY SourceMedia | MUNICIPAL | 01/09/26 01:46 PM EST

Financial Accounting Foundation Board of Trustees Issue Call for Nominations for FASB Chair, GASB Chair, FASB Member, and the Foundation Board of Trustees.

Norwalk, CT, January 8, 2026 — The Financial Accounting Foundation (FAF) Board of Trustees issued a call today for nominations for the following positions: Financial Accounting Standards Board (FASB) Chair, Governmental Accounting Standards Board (GASB) Chair, a FASB Board member, and both Governmental and at-large FAF Trustees. The FAF Appointments Committee oversees recruitment for these positions, and new members are formally appointed by the FAF Board of Trustees.

FASB Chair Nominations

The current FASB Chair, Richard R. Jones, will conclude his term on June 30, 2027. The FASB Chair appointment would be a single seven-year term effective from July 1, 2027, until June 30, 2034.

Ideal candidates for the FASB chair position should possess the following critical competencies for success in the role:

- Commitment and passion for the Board’s mission. This includes an appreciation for the importance

of independent standard setting for financial accounting and reporting, recognition that high quality accounting standards are in the public interest, and an understanding of the varying interests and perspectives of investors and other users of financial information, preparers, and auditors of financial reports.
- Strong knowledge and technical competency in financial accounting and reporting with a strategic, long-term vision and focus on financial reporting and the ability to anticipate issues that may require FASB attention and focus.
- Collaborative leadership and communication skills that instill confidence and help lead organizational change in a complex environment.

GASB Chair Nominations

The current GASB Chair, Joel Black, will also conclude his term on June 30, 2027.

Similarly, the GASB Chair appointment will be for a single seven-year term, beginning July 1, 2027, through June 30, 2034.

Ideal candidates for the GASB chair position should possess the following critical competencies for success in the role:

- Commitment and passion for the Board's mission. This includes an appreciation for the importance of independent standard setting for state and local governmental accounting and reporting, recognition that high quality accounting standards are in the public interest, and an understanding of the varying interests and perspectives of investors and other users of state and local government financial information (such as citizens, legislative and oversight bodies, taxpayers, and underwriters and analysts), as well as preparers and auditors of financial reports.
- Strong knowledge and technical competency in state and local governmental accounting and reporting with a strategic, long-term vision and focus on government financial reporting, and the ability to anticipate issues that may require GASB attention and focus.
- Collaborative leadership and communication skills that instill confidence and help lead organizational change in a complex environment.

FASB Board Member Nominations

FASB Board member Marsha L. Hunt will conclude her second term on June 30, 2027. The new member of the FASB will join a Board of seven full-time members based in Norwalk, Connecticut, with a five-year term beginning July 1, 2027, and eligibility for a second five-year term. Candidates for this position should have a high degree of technical accounting experience along with an understanding of global financial reporting. They should also possess a varied background at the senior level of the financial reporting profession, with substantive experience as a preparer of financial statements for a public or private company (i.e. Chief Financial Officer or Controller). They should have a strong understanding of current technical accounting and financial reporting issues and a CPA certification will also be viewed positively.

FAF Board of Trustees Nominations

The FAF Board of Trustees is seeking one new Governmental Trustee member and several at-large member(s). The Governmental Trustee will be an individual who has experience as a financial officer or as an elected official of a state or local governmental entity and has extensive knowledge of governmental accounting and reporting. Under FAF's By-laws, Governmental Trustees have certain specific responsibilities with respect to GASB appointment matters, as well as a general duty to bring the viewpoint and perspectives of state and local governments to the Trustees' deliberations.

The at-large members are individuals with business, investment, accounting, finance, government, regulatory, higher education (specifically accounting or business), or other related experience who, in the judgment of the Board of Trustees, can contribute to advancing the mission of the Foundation. Specifically, the FAF is seeking candidates with background and experience as a Chief Investment Officer, Head of Investments, or Asset Class Head from an asset management firm, private markets firm, or asset owner. We are also seeking senior executives—such as a CEO, CFO, or similar role—from large, complex global public companies, intermediate-sized private companies, or major not-for-profit organizations, such as universities or hospitals.

Trustees serve a single, five-year term. The FAF Trustee appointments would begin January 1, 2027, and conclude on December 31, 2031.

More information on the FASB Chair position, GASB Chair position, FASB member position, and the Governmental Trustee and at-large Trustee positions of the FAF Board of Trustees can be found on our website along with information on how to apply or submit a nomination.

About the Financial Accounting Foundation

Established in 1972, the Financial Accounting Foundation (FAF) is an independent, private-sector, not-for-profit organization based in Norwalk, Connecticut. Its Board of Trustees is responsible for the oversight, administration, financing, and appointment of the Financial Accounting Standards Board (FASB) and the Governmental Accounting Standards Board (GASB).

The FASB and GASB (collectively, "the Boards") establish and improve financial accounting and reporting standards—known as Generally Accepted Accounting Principles, or GAAP—for public and private companies, not-for-profit organizations, and state and local governments in the United States. Both Boards set high-quality standards through a process that is robust, comprehensive, and inclusive. The FASB is responsible for standards for public and private companies and not-for-profit organizations, whereas the GASB is responsible for standards for state and local governments.

The Foundation's Board of Trustees comprises 14–18 members from varied backgrounds—users, preparers, and auditors of financial reports; state and local government officials; academics; and regulators. The Trustees direct the effective, efficient, and appropriate stewardship of the FASB and GASB in carrying out their complementary missions, select and appoint FASB and GASB members and their advisory councils, oversee the Boards' activities and due process, and promote and protect the independence of the Boards. For more information, visit www.accountingfoundation.org.

MSRB Announces Members of 2026 Advisory Groups.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today announced the members of its 2026 advisory groups, bringing together a broad range of expertise from across the municipal securities market. A total of 31 experienced market professionals will serve on the Compliance Advisory Group (CAG) and Technology Advisory Group (TAG). Together, these groups will offer insights to inform MSRB's regulatory, compliance, and technology initiatives over the next year.

"Insight and input from market participants remain of paramount importance to MSRB and our advisory groups, which focus on specific industry topics, provide a critically important window that directly informs and shapes MSRB's work," said MSRB CEO Mark Kim. "We thank returning and new advisory group members for their commitment and look forward to collaborating with them as

we continue to advance our congressional mandate to protect investors, issuers and the public interest."

CAG, now in its ninth consecutive year, will continue to provide valuable feedback on MSRB's rulemaking and compliance initiatives to help dealers and municipal advisors navigate regulatory requirements effectively. This year, CAG comprises 14 industry professionals with a range of subject matter expertise and small to large firm perspectives including dealers, independent municipal advisors, broker-dealer municipal advisors, and an issuer representative.

Starting its second year, TAG convenes a group specifically focused on the intersection of technological innovation and regulation in the municipal securities market. TAG provides input on technology topics and assesses rapidly evolving market trends to identify opportunities and challenges.

The advisory groups meet several times throughout the year, providing expertise and insights on a range of issues that affect the municipal securities market.

Advisory group members for MSRB's 2026 fiscal year, include:

Compliance Advisory Group

New Members

- Joanna Brody, Managing Director, Short Term Municipal Underwriting, Piper Sandler & Co.
- Scott Casimiri, Director, Fixed Income Compliance, Raymond James & Associates
- Chris Elbrecht, Vice President, Investment Services and Capital Markets, SWBC Investment Services, LLC
- Jessica Fuchs, Co-Founder, Chief Experience Officer, Ampersand Public Advisors, LLC
- Walter Goldsmith, Chief Executive Officer, First Tryon Advisors, LLC
- Armand Pastine, Senior Managing Director & Head of Capital Markets, Celadon Financial Group, LLC
- Nancy Rocha, Managing Director, Investment Banking, Public Finance, Stifel, Nicolaus & Company, Inc.
- Matthew Schiavi, Managing Director, Head of Public Finance Capital Markets, FNB America Securities LLC
- Jessica Skibo, Capital Funding Debt Manager, City & County of Denver, Cash & Capital Funding Division, Department of Finance
- Daniela Terneus-Martyniak, Compliance Officer, Non-Financial Regulatory Reporting, Interactive Brokers, LLC

Returning Members

- Joanna Bowes, Managing Director, KNN Public Finance, LLC
- Robert Cox, Senior Vice President, Siebert Williams Shank & Co., LLC
- John Szwagulak, Chief Compliance Officer, Huntington Securities, Inc.
- Stacey Walter, Compliance Officer and Controller, Columbia Capital Management, LLC

Technology Advisory Group

New Members

- Mack Azzam, Vice President, Public Finance, Hilltop Securities
- Alexander Domenick, Municipal Systematic Trading, RBC Capital Markets

- Susan Joyce, Head of Municipals Trading & FI Market Structure, Fixed Income, Alliance Bernstein
- John Murphy, Director, Head of Investor Relations, PFM Financial Advisors
- Liz Sweeney, President, Nutshell Associates, LLC

Returning Members

- Vinay Dayal, Director, Finance and Treasury, Long Island Power Authority
- Matthew Gerstenfeld, Co-Founder and CEO, Munichain
- Joe Hemphill, (former) President/CEO, (former) Regional Brokers Inc.
- Chris Johnson, Head of Municipal Product, Tradeweb
- Abhishek Lodha, Director of Secondary Market FinTech Strategy, Assured Guaranty
- Dan Pecoraro, Head of Municipal Trading, Millennium Advisors, LLC
- Shawn Quant, Chief Information and Operations Officer, Piper Sandler
- Laura Slaughter, Executive Director, Municipal Advisory Council of Texas
- Tyler Traudt, Co-founder & CEO, DebtBook
- Stephen Winterstein, Head of Municipal eTrading, Bloomberg
- Nusa Znuderl, Senior Vice President, Municipal Securities Quant/Algo Trader, Jefferies

Date: January 09, 2026

Contact:
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SEC Approves MSRB's Multi-Year Rate Card.

The Securities and Exchange Commission issued an order Friday approving the Municipal Securities Rulemaking Board’s proposal for a multi-year rate card for dealers and municipal advisors.

The MSRB on Sept. 30 filed a proposed rule change with the SEC to amend MSRB Rule A-11, which relates to assessments for municipal advisor professionals, and MSRB Rule A-13, which pertains to underwriting and transaction assessments for dealers. The multi-year rate card replaces the MSRB’s previous annual rate card model.

“The SEC’s approval of MSRB’s multi-year rate card reflects the important and extensive stakeholder engagement that went into this process and reinforces MSRB’s ongoing commitment to responsible and transparent fiscal stewardship,” MSRB Board Chair Natasha A. Holiday said in an MSRB press release issued Monday.

“This approach to a multi-year rate card provides greater transparency, less volatility, and certainty in fees, while supporting MSRB’s ability to fulfill its statutory mission to protect investors, issuers and the public interest,” Holiday added.

The multi-year rate card approved by the SEC “maintains existing market activity fee rates through 2029 and includes temporary credits in 2026 and 2027, reducing the net rates of certain underwriting and transaction fees to be paid by brokers, dealers and municipal securities dealers in those years to return surplus reserves to the industry, while also establishing a predictable set of municipal advisor professional fees over the four year period of the multi-year rate card,” the MSRB’s release said.

The approved rates will go into effect on Jan. 1, 2026.

The MSRB, a self-regulatory organization, doesn't receive federal appropriations and is funded primarily via fees paid by regulated entities. The MSRB established its annual rate card model in 2022.

In November 2023, the MSRB filed with the SEC proposed amendments to MSRB Rules A-11 and A-13 to institute rate card fees for 2024. However, comment letters submitted to the SEC regarding the 2024 rate card proposal cited concerns "related to the MSRB's rate setting processes and the volatility and unpredictability of rates under the current rate card model," the Sept. 30 filing said.

After the SEC suspended the MSRB's 2024 rate card proposal in January 2024, the MSRB withdrew it in February 2024. In October 2024, the MSRB published a request for information to solicit input from regulated entities and the general public regarding its rate card process.

"For the reasons outlined below, and in particular the MSRB's commitment to the continued stakeholder outreach described below, the commission finds that the proposed rule change is consistent with the provisions of Section 15B(b)(2)(J) of the Exchange Act," the SEC said in its Dec. 19 order granting approval of the proposed rule change.

That section of the Securities Exchange Act of 1934 "requires the MSRB's rules to provide that each regulated entity shall pay to the MSRB such reasonable fees and charges as may be necessary or appropriate to defray the costs and expenses of operating and administering the MSRB," the SEC's order said.

"With respect to the proposed multi-year rate card, the commission finds that the proposed rate card fees are appropriate to defray the anticipated costs and expenses of operating and administering the MSRB over the next four years," the SEC's order said.

By Kathie O'Donnell

BY SourceMedia | MUNICIPAL | 12/22/25 03:06 PM EST

GASB Issues Guidance on Subsequent Events.

Norwalk, CT, December 17, 2025 — The Governmental Accounting Standards Board (GASB) has issued Statement No. 105, *Subsequent Events*, which is designed to improve the financial reporting requirements for subsequent events.

GASB's pre-agenda research on subsequent events showed diversity in practice in the application of the previously existing guidance on subsequent events, which was contained in GASB Statement No. 56, *Codification of Accounting and Financial Reporting Guidance Contained in the AICPA Statements on Auditing Standards*. This Statement, therefore, is intended to enhance consistency in the application of requirements for subsequent events.

The Statement defines subsequent events as transactions or other events that occur after the date of the financial reporting statements but before the date the financial statements are available to be issued. The definition of subsequent events in this Statement modifies the subsequent events time frame throughout the GASB literature.

Statement No. 105 also clarifies the different types of subsequent events, when note disclosures are required, and the information that should be included in those note disclosures.

The requirements of Statement 105 are effective for fiscal year beginning after June 15, 2026, and all reporting periods thereafter. Earlier application is encouraged.

SEC Approves MSRB's Multi-Year Rate Card.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) issued a statement and notice following the Securities and Exchange Commission's (SEC) approval of MSRB's Multi-Year Rate Card for dealers and municipal advisors. The approved rate card replaces the annual rate-setting model and establishes assessment rates through 2029, providing greater predictability and stability for regulated entities.

"The SEC's approval of MSRB's Multi-Year Rate Card reflects the important and extensive stakeholder engagement that went into this process and reinforces MSRB's ongoing commitment to responsible and transparent fiscal stewardship," MSRB Board Chair Natasha A. Holiday said. "This approach to a multi-year rate card provides greater transparency, less volatility, and certainty in fees, while supporting MSRB's ability to fulfill its statutory mission to protect investors, issuers and the public interest."

The Multi-Year Rate Card maintains existing market activity fee rates through 2029 and includes temporary credits in 2026 and 2027, reducing the net rates of certain underwriting and transaction fees to be paid by brokers, dealers and municipal securities dealers in those years to return surplus reserves to the industry, while also establishing a predictable set of Municipal Advisor Professional Fees over the four year period of the Multi-Year Rate Card. The approved rates will become effective January 1, 2026.

- Read the Notice.
- Read the FAQs.
- Read SEC Approval Order.

Date: December 22, 2025

Contact:
Aleis Stokes, Chief External Relations Officer
202-838-1500
astokes@msrb.org

How Political Alignment Between Cities and Governors Shapes Municipal Borrowing Costs.

In new research, Ramona Dagostino and Anya Nakhmurina discuss how political misalignment between state governors and city leadership can affect how cities access financing, particularly in municipal bond pricing and crisis prevention investment.

When Hurricane Harvey devastated Houston in 2017, the city confronted first a humanitarian crisis, then a political one. As the Democratic mayor of Texas's largest city sought billions in recovery aid, Republican Governor Greg Abbott was loath to open the state's purse, igniting weeks of tension about accessing the rainy day fund for Houston's reconstruction. The state eventually did release some funds, but not at the scale or speed Houston requested. The disagreements were prolonged and ultimately delayed Houston's reconstruction. A 2022 audit by the United States Department of Housing and Urban Development found that additional dispute between the city and the Texas General Land Office had put recovery grant funds at risk and introduced further delays in their distribution.

In Huntington Beach, California, the conservative-majority city council has enacted policies that frequently conflict with the state's progressive policies. For example, the city refused to comply with Governor Gavin Newsom's agenda to build more affordable housing. In September 2025, a California appeals court ruled that Huntington Beach must comply with state law planning its proportional share of residential development. The judge is considering imposing fines that could range from $10,000 to $100,000 per month, and—under certain conditions—be "multiplied by a factor of six," potentially reaching $600,000 per month. This is in addition to a previous $3.5 million in legal fees that would ultimately be funded by taxpayers.

Continue reading.

promarket.org

By Ramona Dagostino and Anya Nakhmurina

December 12, 2025

FINRA Fines Firm for Trade Reporting Failures: Norton Rose Fulbright

A firm settled FINRA charges for trade reporting failures on transactions in municipal securities and for related supervisory deficiencies.

According to the AWC, the firm submitted over 12,000 municipal securities transaction reports to the Real-Time Transaction Reporting System that did not include a mark-up, mark-down, or commission. FINRA noted that the firm failed to append the required No Transaction Based Compensation ("NTBC") indicator to these trades because the firm was unaware of the reporting obligation.

In addition, FINRA found that the firm failed to conduct reviews to verify that the NTBC indicator was being utilized correctly in practice. FINRA determined that the firm had not established written supervisory procedures regarding the overall accuracy of its Real-Time Transaction Reporting System reporting. As a result, FINRA found that the firm's supervisory system was insufficient to maintain compliance with MSRB reporting rules.

FINRA found that the firm violated MSRB Rules G-14 ("Reports of Sales or Purchases") and G-27 ("Supervision").

To settle the charges, the firm agreed to (i) a censure and (ii) a $35,000 fine.

December 4 2025

Norton Rose Fulbright US LLP

MSRB Seeks Board of Directors Applicants for FY 2027.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) will solicit applications for four positions on its Board of Directors for the 2027 fiscal year. Selected candidates will be elected to four-year terms beginning October 1, 2026, where they will have the opportunity to advance MSRB's mission to protect investors, issuers, and the public interest.

"The Nominating Committee's goal is to achieve broad representation of the municipal securities market on the MSRB Board of Directors," said Horatio Porter, MSRB Board member and Chair of the Nominating Committee. "This year, we are seeking two public members and two representatives of regulated entities to join the Board and fulfill our vision to give America the confidence to invest in its communities."

At least one of the new regulated members must be a non-dealer municipal advisor, and the Nominating Committee is also interested in applicants representative of broker-dealers not affiliated with a bank.

MSRB's Board is charged with setting regulatory policy, authorizing rulemaking, enhancing market transparency systems, and overseeing operations for the organization. Board members are compensated for their service.

Board Composition and Available Positions

The Board is composed of 15 members, which must include eight members who are representatives of the public, including investors, municipal entities and other individuals not regulated by MSRB, and seven members from firms that are regulated by the MSRB, including representatives of banks, broker-dealers, and municipal advisors.

During the current nominating process, the Board will elect two public and two regulated representatives to join the Board on October 1, 2026. Among the regulated positions, the Board must elect one non-dealer municipal advisor representative. Potential applicants should review MSRB's FAQs on Board Membership Categories and Eligibility. All applicants must be knowledgeable of matters related to the municipal securities market.

Application Details

Applications are made through the MSRB Board of Directors Application Portal and will be accepted from January 5, 2026, through February 13, 2026. At least one letter of recommendation must be submitted with the application.

Additional details on the Board application process, including a copy of the application form, information about Board service requirements and FAQs, are available on MSRB's website. Questions regarding the application and selection process should be directed to Jake Lesser, General Counsel, at 202-838-1395 or jlesser@msrb.org.

Date: December 02, 2025

Contact:
Aleis Stokes, Chief External Relations Officer
202-838-1500
astokes@msrb.org

MSRB: Steps for Registering as a Municipal Advisor

Read the MSRB guide.

Nov 19, 2025

Broker-Dealer Group Plans to Ask SEC to Exclude Munis from 'Asset-Backed Security' Definition.

The Securities and Exchange Commission has asked for comments on whether the definition of "asset-backed security" should be revised, and at least one broker-dealer group thinks it should specifically exclude municipal securities.

"We will ask the SEC to exclude municipal securities from the definition of asset-backed securities," said Michael Decker, senior vice president for research and public policy at the Bond Dealers of America.

BDA was one of six groups representing the muni market that in a Nov. 14 letter asked the SEC to extend the comment submission deadline for its "Concept Release on Residential Mortgage-Backed Securities Disclosures and Enhancements to Asset-Backed Securities Registration," which the agency issued on Sept. 26.

The letter, which referenced the recent federal government shutdown, in a footnote suggested Jan. 12, 2026, as a potential alternative to the current Dec. 1 deadline for comment submissions.

"As stakeholders representing the municipal market, we enjoy and appreciate the opportunity to consult with market experts and SEC staff to understand how best to reply to proposals such as the Concept Release," the groups said in their letter, which added that they were "denied such an opportunity" during the shutdown.

The commission published the concept release "to solicit comments on whether to amend the asset-level disclosure requirements for residential mortgage-backed securities in Item 1125 of Regulation AB and whether to revise generally the definition of 'asset-backed security' and/or other definitions in Item 1101 of Regulation AB," the release said.

The SEC "is considering these steps to expand issuer and investor access to the registered asset-backed securities markets and facilitate enhanced capital formation and liquidity while maintaining appropriate investor protections," the release said.

"What we plan to tell the SEC is that municipal securities in general shouldn't be subject to Reg. AB," Decker said. "There are elements of the rule that arguably apply to certain municipal securities and we want the SEC to make it clear that the rule doesn't apply to any municipal securities."

Municipal securities are exempt from federal registration requirements in the same way that agency securities are, “and agency securities are exempt from most Reg. AB requirements,” he said.

“In addition, municipal securities have the protection of the Tower Amendment, which prohibits the SEC from directly imposing disclosure requirements on municipal issuers, and that plays into this as well,” Decker said.

The SEC in 2004 adopted Reg. AB, “establishing for the first time a comprehensive registration, disclosure, and ongoing reporting regime for” asset-backed securities under the Securities Act of 1933 and the Securities Exchange Act of 1934, the concept release said.

In 2014, the SEC “adopted significant revisions to its registration, disclosure, and reporting regime for” asset-backed securities, including amendments to Reg. AB, in part to implement several Dodd-Frank Wall Street Reform and Consumer Protection Act mandates, the release said.

“The Dodd-Frank Act added a new statutory definition of ‘asset-backed security’ and included mandates for the commission to adopt rules and regulations intended to address concerns in the securitization market including, in relevant part, a lack of transparency about the assets underlying [asset-backed securities],” the release said.

In addition to BDA, the five other groups that in the Nov. 14 letter asked the SEC to extend the comment submission deadline were the Government Finance Officers Association, the National Association of Bond Lawyers, the National Association of Health and Educational Facilities Finance Authorities, the National Association of Municipal Advisors and the Securities Industry and Financial Markets Association.

By Kathie O’Donnell

BY SourceMedia | MUNICIPAL | 11/21/25 02:30 PM EST

FINRA Sanctions Firm for Custody and Transaction Confirmation Deficiencies: Norton Rose Fulbright

According to the AWC, the firm failed to maintain possession or control of customers’ excess margin securities by not combining credits and debits from accounts held under the same tax identification number. FINRA stated that this caused the firm to overcalculate shares available for rehypothecation—collateral that could be used for the firm’s own purposes—resulting in segregation deficits in customer securities that at times exceeded 100,000 shares and $2 million in value.

FINRA found that the firm lacked a supervisory system reasonably designed to ensure compliance with its possession or control obligations. FINRA also stated that the firm failed to provide guidance to employees on properly segregating securities to prevent the improper use of customer assets.

Separately, FINRA determined that the firm failed to include required mark-up and mark-down information on retail customer confirmations for municipal, corporate, and agency debt transactions. Approximately 300 municipal and 1,050 corporate and agency debt confirmations did not disclose mark-ups and mark-downs as both a total dollar amount and a percentage of the prevailing market price. FINRA found that these omissions resulted from personnel failing to timely enter prevailing market price information into the firm’s order management system.

FINRA concluded that the firm violated SEA Section 15(c) (“Government securities brokers and dealers”), SEA Rule 15c3-3 (“Customer protection-reserves and custody of securities”), MSRB Rules G-15 (“Confirmation, Clearance, Settlement and Other Uniform Practice Requirements with Respect to Transactions with Customers”) and G-27 (“Supervision”), and FINRA Rules 2010 (“Standards of Commercial Honor and Principles of Trade”), 2232 (“Customer Confirmations”), 3110 (“Supervision”).

To settle the matter, the firm agreed to (i) a censure and (ii) a $150,000 fine ($16,250 of which pertains to MSRB violations).

Norton Rose Fulbright US LLP

November 10 2025

FINRA Dings Wedbush Securities for Compliance Issues Involving Margin Accounts, Bond Mark-Ups.

Wedbush Securities has 500 registered reps in 70 branch offices.

FINRA on Friday penalized Wedbush Securities of Los Angelese $150,000 for various compliance and supervision shortcomings related to clients’ margin securities, as well as failing to disclose mark-ups and mark-downs of certain bond transactions.

Wedbush Securities has 500 registered reps in 70 branch offices. The firm has had a history of failing to supervise certain trades that resulted in scrutiny from regulators and penalties, along with other compliance problems.

FINRA in 2022 fined Wedbush Securities $900,000 for trading violations called “failed-to-deliver positions,” which occur when a seller fails to deliver securities to the buyer when delivery is due.

Continue reading.

investmentnews.com

By Bruce Kelly

NOV 10, 2025

MSRB Monthly Municipal Market Trading Summary through October 2025.

View the MSRB report.

Nov 15, 2025

Liquidity Impact of Municipal Bond ETFs on Municipal Securities Market: An Updated MSRB Analysis

Read the MSRB Analysis.

Nov. 4, 2025

MSRB Request for Comment Rule D-15 Defining the Term Sophisticated Municipal Market Professional.

Read the MSRB RFQ.

Nov. 3, 2025

MSRB to Seek Further Comment On Rule Defining Sophisticated Municipal Market Professionals.

The Municipal Securities Rulemaking Board plans to issue a request for comment to solicit further feedback on a proposal to drop the requirement that Securities and Exchange Commission-registered investment advisors affirm their status as sophisticated municipal market professionals.

The MSRB plans to issue the request for comment regarding MSRB Rule D-15 "within the next week or so," Ernie Lanza, chief regulatory and policy officer of the MSRB, said on Wednesday.

Rule D-15 defines the term sophisticated municipal market professional, or SMMP for short. Under the rule, an SMMP is defined by three essential requirements: the nature of the customer, dealer determination of customer sophistication and an affirmation by the customer.

The MSRB's plan to issue the comment request was mentioned by Frank Mazzarelli, director, market regulation at MSRB, during his remarks at the Government Finance Officers Association's 7th Annual MiniMuni Conference last week. The request for comment will seek "further feedback on amending [the] SMMP definition for municipal entities and SEC-registered investment [advisors]," a slide accompanying Mazzarelli's GFOA event remarks said.

"BDA welcomes the MSRB's attention to Rule D-15," Michael Decker, senior vice president for research and public policy at the Bond Dealers of America, said. "The rule has been on the board's books for years, and it is appropriate to undertake a review to determine whether amendments are necessary."

The requirement to obtain customer affirmations from SMMPs is an issue BDA will focus on, Decker said.

"No such affirmations are necessary for Qualified Institutional Buyers in the taxable world," he said. "We look forward to providing input."

The Securities Industry and Financial Markets Association also welcomed the MSRB's plan to issue the comment request.

“SIFMA has been urging MSRB to amend Rule D-15, and is pleased that the MSRB is planning to request comments on the rule,” Leslie Norwood, managing director, associate general counsel and head of the municipal securities division at SIFMA, said in a statement provided via a spokesperson.

SIFMA believes that not only should SEC-registered investment advisors be exempt from the Rule D-15 attestation requirement, “but this exemption should be extended to state registered investment advisers, who have essentially the same duties as federally registered investment advisers but a smaller amount of assets under management,” Norwood’s statement said.

“MSRB looks forward to reviewing comments on the upcoming RFC rather than addressing individual comments in advance,” Lanza said Wednesday in response to The Bond Buyer’s request to address points raised by BDA and SIFMA.

Mazzarelli’s remarks about the planned request for comment came nearly three years after the MSRB in February 2023 issued a request for comment, which asked for input on draft amendments to Rule D-15 that would exempt SEC-registered investment advisors “from having to make certain affirmations in order to qualify for” SMMP status.

The Feb. 16, 2023, request for comment also pertained to MSRB Rule G-47, which relates to time of trade disclosure. Rule D-15 and Rule G-47 were approved by the SEC in March 2014.

In accordance with the Rule D-15 nature of the customer requirement, the customer must be a bank, savings and loan association, an insurance company, or a registered investment company; an investment advisor registered either with the SEC under Section 203 of the Investment Advisers Act of 1940 or with a state securities commission (or any agency or office carrying out similar functions); or any other person or entity having at least $50 million in total assets.

Under the rule’s customer affirmation requirement, the customer must indicate affirmatively that, among other things, it is exercising independent judgment in evaluating the dealer’s recommendations and the quality of execution by the dealer of the customer’s transactions.

In the February 2023 request for comment, the MSRB proposed to exempt investment advisors registered with the SEC from having to make such affirmations in order to qualify for SMMP status under the rule. Such investment advisors “generally maintain over $100 million in regulatory assets under management and owe a fiduciary duty to their clients,” the MSRB said in its February 2023 comment request.

“The MSRB understands that these investment advisers are typically very sophisticated and, as a result, some market participants have questioned whether the burdens associated with obtaining an attestation from these professionals is sufficiently outweighed by the protections afforded to them,” the comment request said.

“The MSRB is sensitive to the cost-benefit analysis associated with the application of its rules and seeks comment below as to whether the MSRB should remove the attestation requirement for commission-registered investment advisers to qualify as SMMPs,” the February 2023 comment request said.

By Kathie O’Donnell

BY SourceMedia | MUNICIPAL | 10/29/25 03:34 PM EDT

MSRB Seeks Volunteers for Compliance Advisory Group.

View the MSRB notice.

Oct 30, 2025

MSRB Board of Directors Holds First Quarterly Meeting of FY 2026.

Washington, D.C. – The Board of Directors of the Municipal Securities Rulemaking Board (MSRB) met on October 22-23, 2025, holding the first quarterly meeting of fiscal year 2026. MSRB reviewed certain retrospective rule review and rule modernization initiatives, discussed the modernization of the Electronic Municipal Market Access (EMMA®) website, among other topics, and celebrated 50 years of advancing its congressional mandate.

“Over the next fiscal year, I look forward to collaborating with MSRB Board members from across our industry, and the nation, who will continue to bring their deep market expertise and experience to our priorities and stakeholder engagement efforts,” Board Chair Natasha A. Holiday said. “As a Board, we remain focused and deeply committed to the priorities that matter most to the market, and I am confident that together with our stakeholders, MSRB can make America’s communities stronger and more vibrant, one bond at a time.”

Market Regulation

The Board approved filing a rule amendment with the SEC and received an update on upcoming market regulation activities, including MSRB’s retrospective rule review. Specifically, the Board:

- Rule G-27: Discussed the approach to further phases of the dealer supervision retrospective rule review beyond the upcoming Request for Comment approved at the last Board meeting. The dealer supervision review is designed to explore avenues for providing additional flexibility for dealers to meet their supervisory obligations in a manner consistent with modern workplace practices without favoring any particular business model.
- Rule G-28: Approved the filing of an amendment with the SEC to harmonize MSRB requirements for dealer personnel engaging in municipal securities activities away from their own firm with FINRA’s similar rule.
- Rule G-32: Discussed progress on addressing underwriter feedback on the submission process for primary offering data and documents through Form G-32, including upcoming near-term actions intended to clarify submission requirements and timeframes as well as consideration of potential longer-term approaches to simplifying the submission process and form content.
- Received updates on other areas of retrospective review and rulebook modernization designed to ensure that regulation of dealer and municipal advisor activities continue to provide fulsome protection to investors and issuers without hindering marketplace innovation and technological advancements.

Market Transparency and Market Structure

- Received an update on the modernization of EMMA and related market transparency systems.
- Received an update on upcoming municipal market research and recent municipal market activity, including record annual trade count and the growth of Alternative Trading Systems (ATSs),

Separately Managed Accounts (SMAs) and exchange-traded funds (ETFs).

Prior to the Board meeting, MSRB celebrated 50 years of serving its congressional mandate by bringing the municipal securities industry together for an evening that recognized the power of municipal bonds in shaping and strengthening America's communities. Alongside fellow regulators and industry leaders, MSRB welcomed remarks from SEC Chairman Paul Atkins and Congressional Municipal Finance Caucus co-chairs Rep. Terri Sewell (D-AL) and Rep. Rudy Yakym (R-IN).

"MSRB was proud to recognize our 50th anniversary milestone together with the industry, fellow regulators and policymakers," MSRB CEO Mark Kim said. "Partnering with our stakeholders, we look forward to the next 50 years of advancing our mission to protect investors, issuers and the public interest, while fostering efficiency, competition and capital formation in the municipal securities market."

Date: October 23, 2025

Contact:
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MSRB Announces Discussion Topics for Quarterly Board Meeting.

Washington, DC – The Board of Directors of the Municipal Securities Rulemaking Board (MSRB) will meet on October 22-23, 2025, to hold the first quarterly meeting of fiscal year 2026.

Highlights of the Board discussion will include:

Market Regulation

The Board will discuss regulatory matters and receive updates on several ongoing initiatives, including:

- MSRB's rule harmonization initiative with FINRA Forward rulemaking.
- Rule G-28: Transactions with employees and partners of other municipal securities professionals.
- Rule G-32: Regarding disclosures in connection with primary offerings.
- Updates on other areas of retrospective rule review, including dealer supervision.

Market Transparency and Structure

The Board will also receive an update on recently published and upcoming research, a recap of recent market activity and a briefing on information technology initiatives, including the development of a modernized Electronic Municipal Market Access (EMMA) website.

Date: October 16, 2025

Contact:
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MSRB Issuer and Investor Notification: Posting and Accessing Preliminary Official Statements on EMMA

Read the MSRB Notification.

Oct 14, 2025

MSRB Monthly Municipal Market Trading Summary Through Sept, 2025.

View the MSRB Summary.

Oct 6, 2025

MSRB Third Quarter 2025 Municipal Securities Market Summary.

View the MSRB Summary.

Oct 7, 2025

MSRB Files Multi-Year Rate Card for Dealers and Municipal Advisors.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today filed its rate card for dealers and municipal advisors with the Securities and Exchange Commission (SEC). The new Multi-Year Rate Card replaces MSRB's Annual Rate Card Model and provides the industry with greater certainty and stability with respect to fees.

"Over the past 18 months we have listened to feedback from our stakeholders and worked to address their concerns regarding our budget, reserves and fees following the suspension of our proposed 2024 rate card," MSRB CEO Mark Kim said. "The new Multi-Year Rate Card provides greater transparency, stability and certainty in fees for regulated entities, resulting in a more predictable, rate-setting model for MSRB. We thank our stakeholders for their engagement and feedback throughout this process"

MSRB has published a page of frequently asked questions (FAQs) about the rate card, including its proposed fee rates. MSRB also encourages stakeholders to review the full filing submitted with the SEC and to submit comments during the SEC's comment period.

Read the FAQs.

Read the SEC Filing.

Date: September 30, 2025

Contact:

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SEC Approves Amendments to MSRB Rule G-14 on Reporting of Transaction Prices.

Read the MSRB Notice.

Sept. 17, 2025

Modernizing Delivery: Why It's Time for the SEC to Make E-Delivery the Default - SIFMA

As investors overwhelmingly embrace digital communications, the SEC should update its decades-old delivery framework to make electronic delivery the default—improving security, reducing costs, and meeting investor needs in the 21st century.

Nearly thirty years ago, the SEC first issued guidance on electronic delivery of required investor communications. These include such things as monthly statements, confirmations and prospectuses. At the time, less than half of U.S. households owned a computer, and only a small fraction subscribed to online services, using dial up as the way to connect to the internet. Fast forward to today: 95% of households own a computer or smart device, 90% have broadband, and almost everyone uses mobile and online platforms for banking, bill paying, shopping, and even government services.

Yet under current SEC rules, paper documents remain the default for required investor communications. This framework is outdated and more costly and less efficient and invites more risk. It also creates unnecessary costs, inefficiencies, and barriers to innovation—while most investors have already signaled a clear preference for electronic delivery.

Why Electronic Delivery Should Be the Default

In a recent letter to the SEC, SIFMA and SIFMA AMG urged the SEC to take action to update the rules to make electronic delivery the default method for customer communications. With appropriate safeguards and the investor's ability to opt out at any time, electronic delivery would:

- **Enhance the investor experience** by providing more timely, secure, and user-friendly access to information.
- **Strengthen investor protection** by reducing the risk of lost or stolen mail and enabling use of encryption, multifactor authentication, and other safeguards.
- **Lower costs** by eliminating printing and postage costs that are ultimately borne by investors.
- **Promote environmental responsibility** by reducing paper waste from millions of unnecessary mailings.

Investors Are Already Online

The evidence is clear: investors overwhelmingly want digital delivery. A 2022 SIFMA survey found that nearly 80% of customers already receive financial documents electronically—across all age groups, including seniors. Just as over 90% of Americans file their taxes electronically, most now expect financial disclosures to be delivered the same way.

A Modernized Framework

In the letter to the SEC, SIFMA recommends:

- Allowing firms to treat electronic delivery as the default method of delivery for clients with an active electronic delivery address on file after an ample notification and transition period. Current and future clients could always switch to paper delivery on demand.
- Exempt "in writing" delivery requirements from duplicative provisions of the E-Sign Act.
- Provide greater flexibility for institutional investors, who overwhelmingly prefer self-service access to documents rather than duplicative notices.

Other federal agencies — including the Department of Labor, Social Security Administration, and the Centers for Medicare and Medicaid Services—have already embraced electronic delivery. This is all the more why we believe the SEC should update its rule set.

Moving Forward

Electronic delivery is not only main the way people communicate today – it is the safer, smarter, and more efficient path forward. Markets are moving faster, with securities settlement moving to one day in 2024 pursuant to an SEC rule and industry led initiative. That move in and of itself made mail delivery of confirms outdated. And as the SEC considers the treatment of tokenization and digital assets under the securities laws, e-delivery is an important first step in establishing a regulatory framework that is friendly to those products.

Modernizing the SEC's delivery framework would align regulatory requirements with investor preferences, technology, and best practices across industries.

We believe the time is right to bring investor communications into the 21st century.

This article neither contains legal advice nor establishes an attorney-client relationship in any form. The opinions expressed herein are attributable to the author(s) alone, and they do not reflect the views, positions or opinions of Willkie Farr & Gallagher LLP or other attorneys at the firm.

Date: September 18, 2025

By: Melissa MacGregor, Brian Baltz, and James Anderson.

SEC's Sanchez: Unregistered Muni Advisor Activity by Lawyers is a Concern

Unregistered municipal advisory activity by lawyers – particularly in affordable housing and "project-based" transactions – is an area of concern for the Securities and Exchange Commission's Office of Municipal Securities, that office's director said Wednesday.

SEC muni chief Dave Sanchez made those comments during the National Association of Bond Lawyers' annual conference being held in Washington this week. While his office is independent and

not a part of the enforcement division, Sanchez has often used his public comments to provide warnings about potentially troublesome conduct in the muni market.

“Generally speaking we’ve been looking at unregistered municipal advisor activity and since I was part of writing the municipal advisor rule over a decade ago, lawyers have always been at the top of the list of complaints and that really hasn’t changed,” Sanchez said during an SEC-related panel discussion at the conference.

In particular, Sanchez cited affordable housing and some of the more “project-based” types of transactions as areas “where we are seeing lawyers more openly engaging in structuring that might be problematic.”

In relation to Sanchez’s comments regarding unregistered municipal advisor activity and lawyers, Panel Chair Alice Ostdiek, a partner at Stradling Yocca Carlson & Rauth, said that particularly when a lawyer is in a situation where there isn’t a municipal advisor on a deal, “your clients are going to look at you and say ‘Oh, you’re the expert? – tell us how this would work, or what should we do here.”

Ostdiek said that while the first words out of her mouth are “I’m not a financial advisor,” clients will continue to press for information anyway on topics such as going to a bank versus doing a bond deal. While she tells clients that she can discuss the legal consequences of that but not the financial consequences, those conversations can be tricky to navigate, Ostdiek said.

Sanchez, citing his own prior experience as an attorney in private practice, acknowledged that lawyers in the situation Ostdiek described are going to feel pressure.

“But really at the end of the day, there’s no answer other than you’re just going to have to say ‘I can tell you about the legal consequences not the financial consequences,'” he said, adding that, alternatively, some lawyers may feel comfortable giving general information because of the general information exclusion.

“And that requires a little bit of education,” Sanchez said. “By the way, there are multiple FAQs on the SEC website about what is general information versus advice.”

At the start of his remarks relating to unregistered municipal advisor activity and lawyers, Sanchez referenced comments made during a panel earlier that day by Andrew Kintzinger, counsel at Hunton Andrews Kurth.

During that panel, which was also SEC-related, Kintzinger pointed to “the onslaught of activity that municipal advisors are facing right now,” which he said encompasses “a whole spectrum of municipal advisors” ranging from those who are part of broker-dealer firms that also provide municipal advisory services to smaller independent municipal advisor firms.

“This whole spectrum are really facing a number of examinations from the [SEC’s] division of examinations and enforcement actions with respect to failing to register when you’re conducting MA activities if you haven’t registered, both in the charter school space and the P3 space,” said Kintzinger, who also cited “cases on conflicts of interest, cases on conflicts of interest due to fee arrangements.”

Kintzinger said he has participated in three forums since November where regulators were present and where municipal advisors said two things that are noteworthy for lawyers:

“One, we want to get out of this mess, we’re going to start asking our issuer clients to always have

disclosure counsels on board to help us with disclosure in all the offer and sale of municipal securities," the attorney said. "And secondly, they say, 'Well, you're looking at us for municipal advisor activity, what about the lawyers?"

Kintzinger said he was offering that information "not by way of saying I think [MAs] have a leg to stand on there, but we need to be aware that they're under the gun with enforcement and exam activity right now and they're saying to the regulators, 'Well, what about the underwriters, what about the lawyers?'"

By Kathie O'Donnell

BY SourceMedia | MUNICIPAL | 09/11/25 03:33 PM EDT

Modernizing Delivery Requirements Under the Federal Securities Laws: SIFMA Comment Letter

Summary

SIFMA and SIFMA AMG provided comments to the U.S. Securities and Exchange Commission (SEC) requesting that the SEC take necessary steps to modernize the framework for the electronic delivery of required communications and disclosures by market participants to investors, customers, and clients.

Read the SIFMA Comment Letter.

FINRA Fines Wells Fargo Clearing Services $137.5k for Alleged Violations Related to Unregistered Advisor Activity.

Wells Fargo Clearing Services has agreed to pay $137,500 to settle a Financial Industry Regulatory Authority allegation that the firm violated a municipal securities rule by failing to set up and maintain a supervisory system reasonably designed to achieve compliance with federal securities laws that ban unregistered municipal advisory activity.

The $137,500 fine for allegedly violating Municipal Securities Rulemaking Board Rule G-27 was part of a $275,000 total fine imposed on the St. Louis, Mo.-based firm by FINRA, which also alleged certain FINRA rule violations.

Wells Fargo (WFC) was also censured, according to a settlement document accepted by FINRA on Aug. 11. The firm consented to FINRA's findings without admitting or denying them, the document said.

FINRA found that from at least June 2019 to November 2024, Wells Fargo (WFC) failed to set up and maintain a supervisory system – including written supervisory procedures – "that was reasonably designed to achieve compliance with Section 15B(a)(1)(B) of the Securities Exchange Act of 1934, which prohibits unregistered municipal advisory activity," according to the document.

That section of the Exchange Act prohibits broker-dealers from providing advice to municipal

entities concerning, among other things, investing proceeds from the issuance of municipal securities “unless the broker-dealers are registered as a municipal advisor, with certain inapplicable exceptions,” the document said.

“In Regulatory Notice 19-28, FINRA reminded members that if they are not registered as municipal advisors yet hold or transact in municipal entities’ accounts, they must establish and maintain a supervisory system and WSPs that are reasonably designed to detect and prevent investment-related activities that would require registration as a municipal advisor,” the settlement document said.

During the period from at least June 2019 to November 2024, “Wells Fargo (WFC) had hundreds of municipal entity customers who transacted in municipal and non-municipal securities in their firm accounts, but the firm was not registered as a municipal advisor,” the document said.

The firm didn’t establish and maintain a supervisory system – including WSPs – that was reasonably designed to ensure that the investment-related activities of the firm and its associated persons didn’t require Wells Fargo (WFC) to register as a municipal advisor.

While Wells Fargo’s (WFC) WSPs prohibited its associated persons from advising municipal entities about investing proceeds from the issuance of muni securities, the firm didn’t supply guidance to its associated persons about what constituted providing such advice and what other activities require registration as a municipal advisor, the document said.

The firm also lacked any process for identifying whether deposits in municipal entities’ accounts were proceeds from the issuance of municipal securities and didn’t institute controls to detect and prevent associated persons from advising municipal entities on how to invest proceeds from the issuance of muni securities, the document said.

“While Wells Fargo (WFC) relied on provisions in its client account agreement and disclosures provided to customers in their year-end account statements to help ensure municipal entities were not depositing proceeds from the issuance of municipal securities, these provisions and disclosures were not prominent,” the document said, adding that the firm “did not otherwise take reasonable steps to ensure that its services for municipal entities did not include providing advice on the investment of proceeds from the issuance of municipal securities and thus constitute municipal advisory activity.”

Through its failure “to establish and maintain a reasonable supervisory system and procedures, Wells Fargo (WFC) violated MSRB Rule G-27,” the settlement document said.

In November 2024, the firm “took steps to modify its supervisory system, including its WSPs, relating to municipal advisory activity,” the settlement document said.

The firm did not immediately respond to a request for comment.

By Kathie O’Donnell

BY SourceMedia | MUNICIPAL | 08/13/25 10:52 AM EDT

S&P Sustainable Finance FAQ: Sustainable Bond Impact And Transparency In Post-Issuance Reporting

This FAQ focuses on post-issuance reporting of sustainable use-of-proceeds instruments. It does not factor into credit ratings or comment on credit ratings.

Post-issuance reporting for sustainable (green, social, or sustainability) use-of-proceeds (UOP) instruments plays a vital role in demonstrating both allocation of funds and real-world impacts. External review providers (such as S&P Global Ratings) may have access to intended allocations and expected impact metrics when assessing pre-issuance sustainable frameworks or financings. Post-issuance reporting, however, provides the first opportunity to evaluate how those initial expectations compare to actual implementation and outcomes.

High quality post-issuance reporting and independent external reviews help demonstrate the issuer's allocation of proceeds in line with the eligibility criteria and sustainability commitments outlined in its corresponding pre-issuance framework or financing documents. These reviews also assess performance—whether meeting, exceeding, or falling short of pre-issuance expectations—and allow for informed stakeholder and fund provider decision-making while enabling the transition to a more sustainable future resilient to environmental and social challenges.

We anticipate post-issuance reporting will continue evolving toward greater consistency and transparency, driven by rising market demands for clarity on real-world outcomes as the impacts of climate change increase, advancements in data collection and validation technology, and increasing coalescence around standardized reporting frameworks.

Continue reading.

14-Aug-2025 | 12:50 EDT

After Muni Bond Fund Blows Up, Broker-Dealers Osaic and Stifel Nicolaus Face Questions.

Plaintiff's lawyers are eying both broker-dealers for potential client complaints.

A small municipal bond fund, the Easterly ROCMuni High Income Municipal Bond Fund (ticker: RMHIX) hit the skids in June, losing close to half its value and now with a net asset value (NAV) of $2.95 per share.

Plaintiff attorneys who work with clients seeking damages from broker-dealers in such cases have pointed to two firms, Osaic Wealth and Stifel Nicolaus & Co., as potential targets of investor lawsuits.

Jake Zamansky, a plaintiff's attorney based in New York, said on Thursday morning he has one client who worked with an Osaic financial advisor on Long Island and invested in the Easterly Fund.

"The Easterly Fund was a speculative high risk "junk bond" fund that should never have been recommended to retail clients," Zamansky said. "Many of the bonds in the fund lacked a liquid market. And when the fund collapsed, investors were left holding the bag."

An Osaic Wealth financial advisor recommended that one customer, an 84-year-old widow, invest in the fund in May, days before it lost half its value, according to Zamansky. So far, that client has allegedly lost 35% of her savings.

Meanwhile, a Thursday morning press release from law firm Shepherd Smith Edwards & Kantas said the firm was looking to speak with Stifel clients in Kentucky who were sold the fund.

“The Easterly Fund was marketed as a municipal bond that purportedly invests at least 80% of its net assets in tax exempt debt securities,” according to the press release. “While most municipal bond funds are relatively safe, the Easterly Fund was quite different and very risky.

“For example, most of its securities are poorly rated, below investment grade bonds commonly referred to as ‘junk bonds,’” according to the press release. “Moreover, the majority of the bonds in the Easterly Fund were not backed by any municipality, like a state or local government, but rather they were bonds issued by small companies for often speculative projects.”

According to Morningstar.com, the Easter Fund’s I or Institutional share class has $15.1 million in total assets.

And according to the Easterly Fund homepage, the fund had an MAV as of the close of trading on Wednesday of $2.95. For the year, the fund’s performance is down 56.3%. Most of the fund’s sharp decline occurred over a few days in the middle of June.

A spokesperson for Easterly Asset Management declined to comment.

According to its website, Easterly Asset Management at the end of last year, along with its partners, managed more than $60 billion in a variety of strategies.

A spokesperson from Osaic did not immediately return a call Thursday afternoon to comment.

“Stifel shares investors’ concerns about the recent performance and management of the fund,” a Stifel spokesperson said. “Despite our formal request to Easterly for detailed information about how its management of the fund led to investor losses, we have yet to receive any reply.”

investmentnews.com

by Bruce Kelly

AUG 08, 2025

Why Is the Fragmented Municipal Bond Market So Costly to Investors and Issuers?

Abstract

The municipal bond market plays a crucial role in providing capital to US municipalities and functions through a network of underwriters, municipal advisors, credit rating agencies, insurers, individual and institutional investors, and multiple regulators. Many of these market participants have significant asymmetric information and conflicting incentive structures, which can sometimes lead to disparate and seemingly inefficient outcomes. Puzzles documented in the academic literature include high underwriting costs, conflicting roles by municipal advisors, extreme and widely varying trade markups, investment holdings that are often not tax-efficient, inconsistent implied marginal tax rates, a heavy reliance on credit ratings, little benefit but widespread use of insurance, delayed use of call provisions, and inconsistent treatment of accounting information. We review issues in the

municipal bond market and propose implementable suggestions that would hopefully allow for a more competitive and low-cost market for both taxpayers and investors.

Continue reading.

by John M. Griffin, Nicholas Hirschey, Samuel Kruger

The Journal of Economic Perspectives, Vol. 39, No. 2 (Spring 2025), pp. 235-260 (26 pages)

https://www.jstor.org/stable/27378766

Law Firms Investigating Losses in Easterly ROCMuni High Income Municipal Bond Fund.

GARDEN CITY, N.Y., Aug. 6, 2025 /PRNewswire/ — Between June 12 and June 16, 2025, the Easterly ROCMuni High Income Municipal Bond Fund (symbol "RMHIX") (formerly known as "Principal Street High Yield Fund") lost half its value. The law firms of Deutsch & Lipner and The Law Offices of Jonathan W. Evans & Associates allege that this Municipal Bond Fund was, despite its name, a risky junk bond fund, that owned illiquid corporate and other unrated and low-rated securities.

Eric Jacobson in a December 2023 article in Morningstar warned about the liquidity of the bonds owned by the Fund (and other issues as well); a year and a half prior to its collapse https://www.morningstar.com/bonds/6-critical-lessons-bond-investors

Deutsch & Lipner and The Law Offices of Jonathan W. Evans & Associates allege that some financial advisors disregarded or failed to heed the warnings.

Deutsch & Lipner of Garden City, New York and The Law Offices of Jonathan W. Evans & Associates of Los Angeles, California are investigating instances of inappropriate recommendations / purchases of this Fund by investment advisors, including those affiliated with Commonwealth Financial. Several investors have already lodged complaints against this firm.

As part of our representation of three investors who are complaining about losses in the Fund, our firms seek information, including but not limited to sales materials, performance projections, emails or other communications from financial advisors about the Fund. Such documents could include material sent to investors about the Fund, its features, or its appropriateness for retirees and other conservative or moderate-risk investors.

The attorneys at Deutsch & Lipner (DeutschLipner.com) and the Law Offices of Jonathan W. Evans and Associates (StockLaw.com) have over a century of experience representing investors in FINRA arbitration claims. The firms have, collectively, recovered hundreds of millions of dollars for aggrieved investors throughout the United States.

Please contact either law firm if you have information about advisors who were recommending the Easterly ROCMuni High Income Municipal Bond Fund.

Deutsch & Lipner

Aug 06, 2025, 07:03 ET

Media Contact:
Seth Lipner Esq.
516 294-8899

Growing Cybersecurity Risks in the Municipal Bond Market: Frost Brown Todd LLP

In November 2024, the Township of White Lake, Michigan, fell victim to a cyberattack resulting in the wiring of approximately $29 million to the unauthorized account of the culprit. Before White Lake imminently closed on its issuance of general obligation bonds to finance new governmental buildings, the hacker was able to access the township's email system, impersonating an official of the township and sending altered wiring instructions to the underwriter of the bond. At the closing, instead of the township account, the purchase price was wired to the hacker. The sale of the bonds was ultimately canceled, and to this date, only approximately $21 million of the purchase price has been recovered. The underwriter is suing the township for the remainder.

Cyberattack Frequency and Disclosures

In recent years, there has been an increase in the frequency and media coverage of cyberattacks, from phishing scams to ransomware, and corporations are constantly working to stay ahead of bad actors by improving policy and technology. As evidenced by the White Lake cyberattack, the municipal markets are not immune to this threat—in fact, the public sector was the third most targeted sector by foreign nation-state cyber threat actors in 2024, according to Microsoft Threat Intelligence's global 2024 Digital Defense Report.

Tracking the rate of these incidents in the municipal market can be difficult, as there are currently no official guidelines from the Securities and Exchange Commission (SEC) pertaining to municipalities and their disclosure of cybersecurity risks or attacks. Issuers may be hesitant to make such disclosures for fear of the negative impact on their credit ratings and the associated negative publicity. This hesitation is well founded: two issuers, one in California and one in Maryland, recently had their credit downgraded after suffering cyberattacks. However, experts believe that, despite the potential credit impact, disclosure is essential, as it allows law enforcement to better understand cyberattack trends, build their databases, and develop strategies to prevent future attacks.

Continue reading.

Frost Brown Todd LLP – Ben Hadden and Chris Ansell

July 30, 2025

MSRB Announces New Board Members for FY 2026.

Washington, DC –The Municipal Securities Rulemaking Board (MSRB) today announced that it has elected four new Board members for Fiscal Year 2026 who will serve four-year terms, which begin on October 1, 2025.

The announcement follows MSRB's fourth quarterly Board meeting of FY 2025 where Natasha Holiday was elected to serve as Board Chair and Wendell Gaertner was elected to serve as Vice Chair. Their one-year terms begin on October 1, 2025.

"MSRB's Board of Directors is pleased to announce the election of this accomplished class of new Board members who will bring fresh perspectives to the work that strengthens the municipal securities market and protects investors, issuers and the public interest," Chair-elect Holiday said. "The Board's Nominating Committee was charged with recommending one municipal advisor, one broker-dealer, and two public members to join the Board next year."

The new public members joining the MSRB Board in FY 2026 are Nancy Feldman, Chief of the Division of Fiscal Management for Montgomery County, Maryland, and JoLinda L. Herring, CEO and Managing Shareholder, Bryant Miller Olive. The new regulated members joining the Board are Vivian Altman, Managing Director and Head of Public Finance, Janney Montgomery Scott, and Daniel Hartman, Managing Director and Immediate Past CEO, PFM Financial Advisors LLC.

Biographical information for Altman, Feldman, Hartman and Herring can be found below.

Vivian Altman is Managing Director and Head of Public Finance for Janney Montgomery Scott, where she oversees their public finance business with a focus on leading the organization's business and client development efforts and expanding its sector and geographic presence. Prior to Janney Montgomery Scott, Altman held roles as an investment banker, municipal advisor, and issuer. Altman holds a Bachelor of Arts in Economics from Barnard College, a Master of Arts in Economics from the University of Pennsylvania, and, in 2024, was recognized as a Trailblazing Woman in Public Finance, receiving the Private Sector Freda Johnson Award.

Nancy Feldman is the Chief of the Division of Fiscal Management for Montgomery County, Maryland, where she is responsible for oversight of the county's cash and investments, debt, revenue forecasting, economic development administration, and fiscal policy analysis. Prior to her work with Montgomery County, Feldman held various positions at Wells Fargo Securities including as Managing Director, Public Finance, Government and Institutional Banking, where she managed the public finance investment banking department and developed strategy for new business in public finance. Feldman holds a Bachelor of Arts in Economics from SUNY Albany and an MBA in Finance from Baruch College.

Daniel Hartman is Managing Director and Immediate Past CEO for PFM Financial Advisors LLC, where he led the organization through its transformation into a stand-alone financial advisory and consulting company. Prior to his tenure as CEO, Hartman led PFM's Financial Advisory practice, was responsible for all municipal advisory services throughout the U.S., and headed the national utilities practice in the U.S. He holds a Bachelor of Arts in Economics and International Relations from the University of North Carolina Chapel Hill.

JoLinda L. Herring is CEO and Managing Shareholder for Bryant Miller Olive, where she is a member of the firm's Public Finance Group. She has over 30 years of experience practicing public finance law and currently serves as bond counsel, disclosure counsel, and underwriter's counsel to various government entities across the States of Florida and Connecticut. Herring began her career at Bryant Miller Olive as a law clerk. She holds a Bachelor of Science in Chemistry from Fisk University, an MBA in Finance with honors from Vanderbilt University, and a JD from Florida State University College of Law.

The new Board members were selected from a pool of over 50 applicants this year.

“We are grateful for and appreciate all of the highly qualified candidates who demonstrated their commitment to public service and giving back to the municipal securities market by applying to serve on the Board,” MSRB CEO Mark Kim said.

July 30, 2025

Aleis Stokes, Chief External Relations Officer
202-838-1500
astokes@msrb.org

Trends in Municipal Securities Trading: Broker’s Brokers vs. Alternative Trading Systems

Read the MSRB report.

MSRB Approves FY 2026 Budget, Amended Rate Card Filing, Elects Board Leadership at Quarterly Board Meeting.

Washington, D.C. – The Board of Directors of the Municipal Securities Rulemaking Board (MSRB) met on July 23-24, 2025, holding the final quarterly meeting of fiscal year 2025. The Board approved the FY 2026 budget, approved the filing of an amended Rate Card with the SEC for calendar years 2026-2029, held FY 2026 officer elections for MSRB Board Chair and Vice Chair, and elected four new Board members for four-year terms beginning on October 1, 2025.

FY 2026 Budget

The Board approved a $46.2 million budget for FY 2026, representing a decrease of 5.2 percent or $2.6 million compared to MSRB’s FY 2025 budget. A more detailed budget summary, with MSRB’s projected expenses, revenues and reserve levels, will be published in October at the beginning of the fiscal year.

“Upholding our commitment to financial stewardship, budget transparency and public accountability remains of paramount importance to MSRB staff and its Board of Directors,” MSRB Board Chair Bo Daniels said. “An open dialogue with stakeholders has provided us with valuable feedback and perspective as we developed our budget for FY 2026.”

Multiyear Rate Card

The Board approved filing an amended Rate Card with the SEC for calendar years 2026-2029. The proposed multi-year rate card is designed to provide the industry with greater certainty and stability with respect to fees. In addition, the proposal is expected to reduce MSRB surplus reserves over the next two years by providing a temporary credit against certain market activity-based fees.

“Over the past year, I have been grateful for and appreciate the industry’s engagement as we have worked to address their concerns and questions regarding our budget, reserves and fees,” MSRB CEO Mark Kim said. “We heard our stakeholders loud and clear, and we hope the amended rate card will provide the industry with greater transparency, less volatility, and more certainty with respect

to MSRB's fees going forward."

Board Leadership for FY 2026

The Board held FY 2026 officer elections and considered candidates to fill vacancies on the Board. The Board elected Natasha Holiday, Managing Director, Co-Head of Infrastructure East, RBC Capital Markets, to serve as FY 2026 Chair of the Board. Wendell Gaertner, Senior Managing Director of Public Resources Advisory Group, Inc. (PRAG), will serve as Vice Chair. Officer terms are for one year and begin on October 1, 2025. The terms of MSRB's outgoing Chair Bo Daniels and Vice Chair Jennie Bennett end on September 30, 2025.

"I am pleased to announce the election of Natasha and Wendell as our incoming Chair and Vice Chair—especially as they represent the two market participants that MSRB regulates, broker-dealers and municipal advisors," Daniels said. "I congratulate them on this tremendous honor and know the industry will be well represented with their leadership when they take the reins as Board Chair and Vice Chair in October."

Four new Board members were also elected for four-year terms beginning on October 1, 2025. More information on these candidates will be shared in the coming days.

In addition, the Board discussed the following initiatives:

Market Regulation

- MSRB Rule G-27 Request for Comment: Approved issuing a request for comment on draft amendments to provide more flexibility in connection with dealer supervision requirements.
- Retirement of Financial Advisor Terminology: Approved issuing a request for comment on draft amendments to replace use of the term "financial advisor" in MSRB rules with the term "municipal advisor."
- Open Contractual Commitments: Discussed industry concerns regarding contractual commitment charges for syndicate members.

Market Transparency and Market Structure

- Received an update on the modernization of the Electronic Municipal Market Access (EMMA) website and related market transparency systems.
- Received an update on recent municipal market activity and current MSRB research.

Date: July 24, 2025

Contact:
Aleis Stokes, Chief External Relations Officer
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Pricing Climate Risks: Evidence from Wildfires and Municipal Bonds - Brookings

Abstract

How do financial markets respond to anticipated climate-driven wildfire risk? Using high-resolution meteorological forecasts, land use data, and U.S. municipal bond spreads, we find that municipalities facing greater future wildfire exposure already incur higher borrowing costs: A one standard deviation increase in projected wildfire risk raises primary (secondary) market spreads by 14 (26) basis points – over 40% of the sample mean. Impacts are significantly larger in areas with higher minority populations and greater reliance on local revenue. Our study contributes to the broader literature by introducing a new approach to identifying the financial effects of evolving climate risks.

View the working paper.

View slides.

Brookings 14th Annual Municipal Finance Conference

Authors: Woongchan Jeon, Lint Barrage, and Kieran James Walsh

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Who Labels and What's Priced? Evidence from Third-Party ESG Assessments in the Municipal Bond Market - Brookings

Abstract

We study the supply and pricing dynamics for ESG labels using a novel and unexpected third-party assessment of environmental, social, and governance (ESG) characteristics for over $1 trillion in municipal bonds. We show that most eligible bonds are issued without ESG labels and that local beliefs and issuance terms discourage labeling. Using a difference-in-differences design in combination with these assessments, we provide within-bond evidence that reducing ESG-related uncertainty increases investors' willingness to pay. We find a 3–4 basis point premium for assessed bonds, even those with average ESG scores (i.e., ineligible for ESG labels) – which we call an assessment effect. The greenium for higher environmental or transparency scores is smaller but significant. These pricing effects are consistent across local characteristics, but are much larger for revenue bonds with material credit risk. Our evidence highlights the general relevance of ESG information in assessing credit risk and a mismatch between
its supply and investor demand.

Download the paper.

Brookings 14th Annual Municipal Finance Conference

Authors: Daniel Garrett (University of Pennsylvania Wharton School), Brian Gibbons (Oregon State University), and Mahdi Shahrabi (University of Pennsylvania)

Dealer 'Quid Pro Quo' Shapes Bond Markups, Paper Says.

An academic investigation into "reciprocity" among broker-dealers in secondary market trading has found that larger dealer networks tend to boost liquidity and competition while smaller networks bring higher markups for customers and raise questions about collusion.

Presented Wednesday at the Brookings annual municipal finance conference, the paper, "Dealer Quid Pro Quo in the Municipal Bond Market," examines "favor trading" among dealers who form networks to trade municipal bonds.

The authors were interested in investigating how the characteristics of dealer networks affected trading prices and found a "noticeable gap in examining reciprocal relationships among dealers," the paper said.

"Does reciprocal 'favor trading" help liquidity or enable rent extraction?" asked Casey Dougal, an associate professor in the Department of Finance at Florida State University's College of Business and one of the authors, who presented the paper at the conference.

Dougal co-wrote the paper with Daniel Rettl and Vasiliy Yakimenko, both from the Department of Finance at the University of Georgia's Terry College of Business.

"Most of the time, dealer cooperation, grounded in a system of favors, reduces markups and passes along the savings to customers," Dougal said. "For the most part, 98% of the time these relationships are really beneficial to customers," he said. "Some of the time it looks like there's some collusion going on," he said.

"That's kind of a strong word," he added. "We didn't observe the dealer identities, so it's a shortcoming of our study," Dougal said. But "we think that probably more investigation into those groups of traders might be warranted."

The paper finds that among high-centrality dealers in large communities, high reciprocity lowers average markups by 80 basis points.

Among low-centrality dealers in small communities, reciprocity raises markups by 72 basis points, raising questions of collusion.

High-centrality refers to firms that "occupy central positions and have more connections."

The "small cohort of highly reciprocal, peripheral dealers" tend to "operate in networks roughly one-sixth the size of other peripheral dealers, but their transaction chains are nearly twice as long, indicating repeated trading within the same closed circle," the paper said.

"Their transactions also feature slightly smaller trade sizes and bonds with more complex contractual features, consistent with a strategic focus on retail investors, who are more susceptible to cognitive biases or limited financial literacy."

The colluding dealers may be operating in "niche markets" where pricing and trading are "more challenging, leading to longer chains and justified higher markups due to increased risk, effort, and the value of their specialized services," the authors said.

The study also found a higher incidence of "anomalous trading and strategic pricing" by those dealers. "We find their deals have an unusually high incidence of "round-trip" chains in which the initiating and concluding dealers are identical, raising concerns about pump-and-dump strategies that shift costs onto retail investors."

The authors used Municipal Securities Rulemaking Board data to study 40 million intra-day municipal bond trades between 2014 and 2018.

The paper "identifies a new force that is quite strong in dealer networks," said Ivan Ivanov of the

Federal Reserve Bank of Chicago, who discussed the paper at the conference. “The authors find that reciprocity does play a role, both at the core of the dealer network and also on the outside, so this is very key.”

Ivanov suggested that the sample time should be expanded since muni trading has changed “immensely” since 2018. It’s unclear what role electronic trading, for example, plays in interdealer trading chains and whether alternative trading systems could mask as reciprocity, he said.

All markup costs have fallen “a ton over time,” Ivanov said, which appears to be due to the role of the ATS.

The suggestion of strategic trading among some of the dealers is a “strong claim,” Ivanov said. “I’m not saying it’s false,” he added. “But there’s a very high burden of proof.”

A broker-dealer in the audience took exception to the paper’s conclusions.

“From a practitioner’s standpoint, at a high level, this generally just doesn’t happen in the market,” he said.

“You have to take into perspective the eat-or-be-eaten mentality of broker dealers” whose highest goal is to place bonds directly with customers, he said. “There’s no feeling of reciprocity among the dealers; they really don’t like each other.”

“I know they don’t like each other, but maybe in a distressed period they’d like to be friends,” Dougal said.

“What you’re talking about is against the law,” the audience member responded.

By Caitlin Devitt

BY SourceMedia | MUNICIPAL | 07/24/25 10:07 AM EDT

NFMA 2026 Annual Conference - Call for Volunteers

Conference Co-Chairs Eric Kim and Jane Ridley are seeking volunteers for the 2026 Annual Conference Planning Committee. The Annual Conference will be held at the InterContinental Buckhead, Atlanta, Georgia May 12-16, 2026.

Click here for information required for application to this committee.

GFOA: Taking the Pulse of Local Government Finance

Just how widely adopted are the practices espoused by GFOA? This is an important question that did not have a good answer … until now. In summer 2024, GFOA partnered with Civic Pulse to conduct a national survey exploring how widely GFOA-recommended practices are adopted by local governments. With 497 responses from municipalities and counties across the U.S.—including both members and non-members—the survey offers new insight into the current state of public finance. Topics covered include the location of the budget function, financial planning time horizons, gaps

between aspirations and reality in budgeting, top concerns of budget officers, public engagement efforts, and self-evaluations of financial management. This summary report provides a snapshot of where local governments stand today and highlights opportunities for continued growth and support in the profession.

Download

Publication date: July 2025

MSRB: Performance of Municipal Bond Exchange-Traded Funds During April 2025

Read the MSRB report.

MSRB Announces Agenda Topics for Quarterly Board Meeting.

Washington, DC – The Board of Directors of the Municipal Securities Rulemaking Board (MSRB) will meet on July 23-24, 2025, to hold the fourth and final quarterly meeting of fiscal year 2025. The Board will vote to approve MSRB's proposed FY 2026 budget and the filing of an amended Rate Card with the SEC for calendar years 2026-2029. The Board will also hold FY 2026 officer elections for MSRB Board Chair and Vice Chair and elect four new Board members.

Additional highlights of the Board discussion will include:

Market Regulation

The Board will discuss several regulatory initiatives and receive updates on MSRB's ongoing retrospective rule reviews, including:

- Rule G-27 Request for Comment: Consider publishing a request for comment on draft amendments to provide more flexibility in connection with dealer supervision requirements.
- Retirement of Financial Advisor Terminology: Consider publishing a request for comment on draft amendments to replace use of the term "financial advisor" in MSRB rules to "municipal advisor."
- Open Contractual Commitments: Discuss industry efforts in connection with communications to facilitate removal of open contractual commitment charges for syndicate members.

Market Transparency and Market Structure

The Board will address initiatives designed to facilitate an effective, well-functioning market, including:

- The modernization of the Electronic Municipal Market Access (EMMA) website and related market transparency systems.
- An update on recent municipal market activity and current MSRB research.

NFMA Comment Letter to GASB.

On June 24, the NFMA submitted a comment letter on the Governmental Accounting Standards Board's Preliminary Views, Severe Financial Stress and Probable Dissolution Disclosures. To read the letter, click here or go to Resources/Comments to GASB.

National Federation of Municipal Analysts

June 24, 2025

Proposed Rule Changes to Amend FINRA Rule 6730 (Transaction Reporting) and Rule G-14 RTRS Procedures Under MSRB Rule G-1: SIFMA Comment Letter

Summary

SIFMA and SIFMA AMG provided comments to the U.S. Securities and Exchange Commission (SEC) regarding FINRA and the MSRB's amendments to their rules regarding the reporting of transactions of certain fixed-income products under Rules 6730 and G-14, respectively (collectively, "the 2025 Proposal").

Read the SIFMA Comment Letter

GASB Provides Guidance to Assist Stakeholders With Application of Its Pronouncements.

Norwalk, CT, June 23, 2025 — The Governmental Accounting Standards Board (GASB) today issued implementation guidance in the form of questions and answers intended to clarify, explain, or elaborate on certain GASB pronouncements.

Implementation Guide No. 2025-1, *Implementation Guidance Update—2025*, contains new questions and answers that address application of GASB standards on leases, accounting changes and error corrections, conduit debt obligations, cash flows reporting, compensated absences, and financial reporting model improvements. The guide also includes amendments to previously issued implementation guidance related to ownership of an asset and governmental fund type definitions.

The GASB periodically issues new and updated guidance to assist state and local governments in applying generally accepted accounting principles (GAAP) to specific facts and circumstances that they encounter. The guidance is developed based on:

- Application issues raised during due process on GASB pronouncements,
- Questions it receives throughout the year, and
- Topics identified by members of the Governmental Accounting Standards Advisory Council and other stakeholders.

The guidance in Implementation Guides is cleared by the Board and constitutes Category B GAAP. The guide is available to download free of charge on the GASB website, www.gasb.org.

NFMA's RBP in Disclosure for Public Power Electric Utilities & Joint Action Agencies Released

Recommended Best Practices in Disclosure for Public Power Electric Utilities & Joint Action Agencies

June 2025.

Regulators to Hold Outreacch Event for Municipal Market Professionals.

Washington D.C. — The Municipal Securities Rulemaking Board (MSRB), Securities and Exchange Commission and FINRA today announced that registration is now open for the 2025 Joint Compliance Outreach Program, a two-day event to discuss compliance and regulatory matters directly with municipal market professionals. **The program will be held virtually via Zoom on November 18 and 19.**

The event gives market professionals the opportunity to share perspectives on how firms are evolving and responding to business, regulatory, and technology matters. This year's program provides practical and tailored discussions addressing top concerns and interests among municipal securities dealers and municipal advisors, including conflicts of interest, broker-dealer primary offering and pricing practices, compliance concerns, and other key municipal market topics.

"The Compliance Outreach Program is dedicated to discussing regulatory challenges in the municipal securities market," said Dave Sanchez, Director of the SEC's Office of Municipal Securities. "Interacting with panelists and members of the public on compliance concerns and emerging issues helps regulators create a more efficient regulatory environment for the municipal securities industry."

"We look forward to hearing from dealers and municipal advisors about opportunities and challenges in meeting their regulatory obligations in the evolving municipal securities market," said MSRB Chief Regulatory and Policy Officer Ernesto Lanza. "Insights from this program will inform our retrospective rule review, which is an ongoing assessment of our rules to modernize requirements, reduce undue burdens and facilitate innovation."

"The Compliance Outreach Program fosters essential dialogue between regulators and municipal securities firms," said Michael Solomon, Executive Vice President of Examinations and Membership Application Program at FINRA. "We are pleased to partner with the SEC and MSRB to offer meaningful conversations where municipal market professionals not only hear from their regulators but also work with them to advance this crucial market."

Municipal market professionals can submit questions and topics of interest in advance of the event by emailing sessionquestions@finra.org. A recording of the event will be archived for later viewing on the SEC website.

Date: June 25, 2025

Contact:
Aleis Stokes, Chief External Relations Officer
202-838-1500
astokes@msrb.org

An Ever-Evolving Citadel for Public Finance.

Now 25,000 members strong, financially secure and long blessed with thoughtful leadership, the Government Finance Officers Association is poised to address the challenges to come for those who manage the public purse.

For most people, the inner workings of government finance are about as interesting as their dishwasher's owner's manual. But it's safe to say that none of the various national associations of public service professionals has had a broader impact on a core function of society — the nurturing and protection of the public purse — than the Government Finance Officers Association (GFOA). Getting the money right enables everything else.

Long recognized as a powerhouse of professionalism, as GFOA advances well into its second century its leaders are moving with admirable determination to position it for the challenges to come, not least of them the impact of artificial intelligence on everything from budgets and staffing to financial reporting and pension operations.

Founded in 1906 in Chicago as the National Association of Comptrollers and Accounting Officers, then in the early 1930s renamed the Municipal Finance Officers Association, in 1984 it rebranded itself with its current title. GFOA's membership includes U.S. and Canadian public finance professionals, most of them from local governments and agencies but also including state and provincial financiers. It's a nonpartisan organization with a lean and skilled staff operating in Chicago and a legislative office in Washington, D.C.

Continue reading.

governing.com

OPINION | June 24, 2025 • Girard Miller

New GFOA Research: Rethinking Materiality in Government Accounting

This report suggests local governments are often overly cautious about what counts as "material," adding unnecessary cost and complexity to financial reporting. By shifting the focus to decision-useful accuracy rather than exhaustive precision, the profession can streamline reporting, save staff time, and maintain public trust.

Download

Stefanik Asks SEC to Investigate Harvard Bond Offering.

Takeaways

- Representative Elise Stefanik called on the SEC to investigate Harvard University's recent bond sale, alleging the school may have withheld material information from investors about its standoff with the federal government.
- Harvard sold $750 million of taxable bonds on April 9 and later issued a supplemental disclosure on April 15, revealing its rejection of the federal government's demands and listing risks related to an ongoing conflict with the Trump administration.
- Stefanik also asked the SEC to investigate the "risks associated" with Harvard's holdings in private equity, venture capital, and real estate.

Continue reading.

Bloomberg Markets

By Lydia Beyoud, Amanda Albright, and Nicola M White

June 17, 2025

NFMA June Newsletter.

The NFMA's Municipal Analysts Bulletin, Vol. 35, No. 2, has been published. In addition to the Letter from the Chair, and reports from committees and societies, there are photos from this year's conference in San Antonio.

Click here to download the June 2025 edition.

National Association of Municipal Analysts

Authorities Reverse One-Minute Fixed Income Reporting Requirements.

Requirements for trades to be reported within one minute have been reversed just months after their approval after concerns were raised around the negative implications, operational burdens and lack of material improvements that the shortened window would provide.

In September 2024 the SEC approved the Municipal Securities Rulemaking Board's (MSRB) amendments to transaction reporting requirement Rule G-14, shortening the reporting timeframe to one minute for municipal securities transactions. On 6 March, following industry consultation, the MSRB stated that it would not set an effective date for the amendments to come into force.

Market participants raised concerns that the updated requirements may not be feasible on a near-term basis, citing operational upheaval and issues around how both partially manual and fully automated trades would be handled.

On the rescindment, Leslie Norwood, managing director, associate general counsel and head of municipal securities at the Securities Industry and Financial Markets Association (SIFMA), commented, “The fixed income markets – including the municipal securities market – remain predominantly over-the-counter, where elements of trading and post-execution processing rely on manual processes, or are subject to still developing and non-comprehensive automation.

“An across-the-board one-minute reporting requirement is not feasible due to the lack of full post-trade automation stemming from the importance of bilateral negotiation in many fixed income markets.”

Elements of the G-14 amendments will remain, including the focus of examination and enforcement on patterns of failures rather than isolated cases and the requirement that trades are reported “as soon as practicable”.

On the latter, a review of trade reporting data from 2022 to 2024 surmised that mandating as soon as practicable trade reporting may improve market pricing availability and overall average reporting times.

In its latest filing, the board said, “The MSRB believes that the 2024 Amendments, as modified by the proposed rule change, would serve to continue to enhance market transparency without the potential compliance burdens and costs associated with the one-minute reporting requirement and the use of a special condition indicator for trades with a manual component.”

Also removed from the regulation are intra-day exceptions for dealers with limited trading activity and trades with a manual component, and the need to differentiate trades with a manual component.

Norwood continued, “We are also pleased to see the MSRB remove the manual trade flag and the two exceptions which were part of the recent revisions to the rule.”

The MSRB’s decisions align it with the Financial Industry Regulatory Authority (FINRA), which filed documents with the SEC in February proposing that transaction reporting Rule 6730 maintain its 15-minute outer limit timeframe for TRACE-eligible trades.

Chris Killian, managing director for securitisation and corporate credit at SIFMA, stated, “this trade reporting framework appropriately balances the need for market transparency with the operational realities of the over-the-counter (OTC) fixed income markets.”

FINRA previously filed documents in 2024 stating that faster reporting would improve price formation, reduce costs and increase liquidity.

The authority has also proposed changes to Rule 6730 to allow members who are both broker-dealers and investment advisors to report allocations of aggregate orders in a single trade report. This will streamline reporting, it suggested, and improve transparency.

“We will review the aspect of the proposal regarding reporting of allocation trades and provide comments to FINRA, but as an initial matter, are pleased to see FINRA’s attention to this issue which has long burdened dual-registered firms,” Killian concluded.

fi-desk.com

The Good, The Bad, and the Super Slow: Examining the Timeliness of Municipal Bond Audits for Audit Year 2023

An overview of municipal bond audit timeliness that analyzes trends in audit completion speeds and performance insights across issuers for the 2023 audit year.

COLORADO SPRINGS, CO, UNITED STATES, June 11, 2025 /EINPresswire.com/ — Merritt Research Services, an Investortools Company, in partnership with the University of Illinois Chicago's Government Finance Research Center (GFRC), today published its annual Audit Time 2023 Report, "The Good, The Bad, and the Super Slow," examining the speed and efficiency of municipal bond audit completion. Drawing on nearly 12,000 municipal bond audits sourced from the Merritt Research Services database found in CreditScope, this report reveals that the median audit time across all municipal bond sectors has increased by 10.6%, from 151 days in 2012 to 167 days in 2023, marking a slowdown of 16 days over the past decade.

Despite the peak accountant shortage in 2023, the study found a modest improvement in audit timeliness year-over-year: median audit times edged down slightly from 170 days in 2022 to 167 days in 2023. Revenue bond issuers continue to outperform their governmental counterparts, completing audits more rapidly on average. However, a cohort of issuers, those yet to file their 2023 audits as of May 5, 2025, exhibited persistently long delays, reflecting patterns of late reporting stretching back through 2021 and 2022.

The report spotlights extreme cases of delayed filings: both Illinois and Nevada remain over 700 days past their fiscal year-end without submitting their 2023 audits, establishing a new record for state-level lateness outside of territories. Such prolonged lags can hinder investor confidence and impede accurate credit evaluation in the municipal market.

"Timely audits are the backbone of transparency and fiscal stewardship in municipal finance," says Richard A. Ciccarone, President Emeritus of Merritt Research Services. "Our analysis underscores both commendable best practices and areas where urgent improvement is needed to protect stakeholders and maintain market integrity. We're proud to leverage CreditScope's expansive database to shine a light on trends that drive better governance."

To recognize and encourage timely transparency, Merritt has been tracking and reporting on the completion and signing times of municipal bond-related audits since 2007. Starting in 2022, Merritt has partnered with the GFRC to further this effort.

The full Audit Time 2023 Report is available here.

US Regulators Seek Rollback of 1-Minute Bond Trade Reporting.

(Bloomberg) — US financial regulators want to roll back measures introduced during the Biden administration that slashed some fixed-income trade reporting to just one minute, calling for the abandonment of a planned shift away from the 15-minute status quo for disclosing many bond transactions.

The Financial Industry Regulatory Authority and the Municipal Securities Rulemaking Board proposed going back to the longer time frame to address industry concerns that were raised after the 1-minute deadline was approved in 2024.

The Securities and Exchange Commission, which oversees the two self-regulatory organizations, had approved the rules to speed up trade reporting for corporate bonds, asset-backed securities and some mortgage-backed securities under former Chair Gary Gensler. The rule changes hadn't gone into effect yet.

Big banks in particular disliked the measure, which was intended to bring greater bond pricing transparency for investors and reflect technological advances since the 15-minute deadline was introduced.

The Bond Dealers of America said in a statement the return to the status quo would allow financial institutions to "shorten trade reporting times organically without a regulatory mandate."

The regulators noted in their proposals that although the vast majority of fixed-income trades were reported in less than one minute, bigger trades above $5 million and dealers who report a small number of trades per year often take longer to report.

Bloomberg Markets

by Lydia Beyoud

Wed, June 11, 2025

Chicken Fat-to-Fuel Project Is the Latest Green Muni Bond to Default.

- A Mississippi facility that raised $22 million in securities to convert poultry waste into biodiesel has defaulted on its bonds, marking at least the second green bond default in the muni market this month.
- The default is a sign of risk in bonds sold by local and state governments to finance private projects for energy and recycling plants carrying a green label, with one-third of 49 industrial development bonds defaulting in the last five years being marketed as green bonds.
- Almost 10% of roughly $10 billion bond green industrial development or solid waste bonds are in default, with the average 10-year annual default rate for municipal bonds rated by Moody's being 0.15% from 1970 through 2023.

A Mississippi facility that raised $22 million in securities to help convert poultry waste into biodiesel has defaulted. That marks at least the second green bond default to hit the muni market this month.

The tax-exempt bonds with an 8% coupon were sold by the Mississippi Business Finance Corp. in December 2022 on behalf of Alden Group Renewable Energy. UMB Bank, which is the trustee for bondholders, said the borrower failed to make a June 2 interest payment. Earlier this month, about $40 million of green municipal bonds issued to build a cow manure-to-natural gas facility on a Wisconsin farm also defaulted.

Bonds sold by local and state governments to finance private projects for energy and recycling plants carrying a green label are risky, according to Municipal Market Analytics. One-third of 49 industrial development bonds to disclose a first time payment default in the last five years were marketed as green bonds, said Matt Fabian, a partner at the research firm.

"The takeaway for investors is to be a bit more careful with bonds that resort to green labeling as they may be stretching to attract investors," Fabian said in an email. That could suggest weakness in

their economic profile “or another risk not obvious on the surface.”

Almost 10% of roughly $10 billion bond green industrial development or solid waste bonds are in default, according to data compiled by Bloomberg. From 1970 through 2023, the average 10-year annual default rate for municipal bonds rated by Moody’s was 0.15%.

Alden’s Mississippi renewable energy facility isn’t the only one in trouble. In January, local television station KTUL reported that an Alden facility in Tulsa, Oklahoma was closing.

Alden Group is a unit of Spring, Texas-based Jefferson Enterprise Energy, LLC. Jefferson’s founder and Chief Executive Officer Al Salazar died in October from cancer, according to a securities filing.

Neither Richard Thayer, Alden Group’s president nor Michael Slade, a senior vice president at UMB, responded to a request for comment.

In a June 12 filing, UMB said it was working with Alden and majority bondholders on the situation.

AllianceBernstein Holding LP owned all of Alden Group’s bonds for the Mississippi project as of April 30, according to data compiled by Bloomberg. Carly Symington, a spokeswoman for AllianceBernstein didn’t respond to a request for comment.

Bloomberg Markets

By Martin Z Braun

June 13, 2025

MSRB Rescinds One-Minute Trade Reporting Standard, Responding to Industry Feedback and Concerns.

Washington, D.C. – The Municipal Securities Rulemaking Board (MSRB) today announced that the Board approved filing amendments to Rule G-14 to rescind previously approved, but not yet effective, rule provisions so that the existing 15-minute trade reporting standard would be retained. This follows the March 6, 2025, announcement by MSRB that it would not set an effective date for the rule amendments that the SEC approved in September 2024 in order to make substantive changes to the transaction reporting requirements.

“MSRB’s decision to rescind the one-minute trade reporting deadline under Rule G-14, and to revert to the existing 15-minute standard, comes after months of dialogue and engagement with market participants,” MSRB President and CEO Mark Kim said. “Updated data on reporting timeframes since the initial trade data analysis from the 2022 filing, together with certain implementation issues raised by stakeholders, suggested that the recently approved amendments were not necessary to improve market transparency.”

The Board’s action also follows FINRA’s notice in February 2025 to amend its own similar rule for trade reporting of Trade Reporting and Compliance Engine (TRACE)-eligible securities under FINRA Rule 6730. MSRB’s shared goal with FINRA has been to maintain regulatory consistency across the corporate and municipal bond markets in trade reporting.

Certain aspects of the amendments approved in September 2024 would be retained, including

provisions requiring that trades be reported “as soon as practicable” and that dealers adopt policies and procedures in connection with this requirement. These changes were broadly supported by market participants commenting on the September 2024 amendments and would be consistent with the same requirements for trade reports to TRACE under existing FINRA rules.

In addition, Rule G-14 would retain language added in the September 2024 amendments designed to focus examination and enforcement efforts primarily on “patterns or practices” of trade reporting failures, rather than isolated cases of late reporting, as well as certain clarifying language designed to improve the understandability of existing reporting requirements.

“Streamlining our rules by rescinding unnecessary provisions makes good on MSRB’s promise to modernize our rulebook and eliminate undue compliance burdens on the industry,” MSRB Board Chair Bo Daniels said.

Date: June 09, 2025

Contact:
Aleis Stokes, Chief External Relations Officer
202-838-1500
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Proposed Rule Change to Amend MSRB Rule G-14 RTRS Procedures.

Read the MSRB SEC filing.

Failed Muni Bond Draws FBI and Sparks ‘Ponzi-Like Fraud’ Claims.

When a $4 billion development project soured in a sleepy Connecticut town, the lawsuits followed.

Before the lawsuits started piling up in courtrooms across Connecticut, before his employer accused him of running a “massive Ponzi-like fraud,” and before the FBI showed up, Robert Cappelletti looked well on his way to pulling off one of the greatest muni-bond coups of all time.

The plan Cappelletti had put together was so audacious it bordered on the fantastical. The housing agency he ran in Groton, a sleepy town of some 40,000 people along Connecticut’s Thames River, would sell $750 million of bonds to jumpstart a $4 billion project to transform a bunch of run-down shopping plazas into a sprawling, up-scale development. There’d be a new train station, a hospital, almost 2,000 apartments and dozens of shops and restaurants.

It would have been the biggest local bond issue in the state’s history and expanded the tiny Groton agency far beyond its role managing two apartment complexes.

And yet Cappelletti — a part-time employee with a mixed record running other housing agencies in the state — breezed through a series of crucial steps needed to complete the sale. He got approval from the five-person board that runs the agency; crafted a brief financial projections statement; scored an investment-grade bond rating; and started the process of lining up buyers for the debt.

Continue reading.

Bloomberg Markets

By Martin Z Braun and Maggie Eastland

June 7, 2025

SEC Charges Municipal Advisor with Failing to Register with the Commission.

May 30, 2025 – The Securities and Exchange Commission today announced settled charges against Canada-based Agentis Capital Advisors General Partnership, fka Agentis Capital Advisors, for failing to register as a municipal advisor.

The SEC's order finds that from December 2020 through February 2023, Agentis provided consulting services to six private sector entities engaged in public-private partnerships (also referred to as "P3s") in the United States, in connection with six municipal securities issuances. A portion of those services included advice on the structure, timing, and terms of the issuances, which constituted municipal advisory services. Through these issuances, Agentis' clients raised over $1.9 billion. Agentis was not registered as a municipal advisor when it provided these services.

The order finds that Agentis willfully violated the registration requirements of Section 15B(a)(1)(B) of the Securities Exchange Act of 1934. Without admitting or denying the order's findings, Agentis consented to a cease-and-desist order, a censure, and a civil penalty of $100,000.

The investigation was conducted by Cori Whitten, Warren Greth, and Joseph Chimienti, and supervised by Ivonia Slade and Rebecca Olsen, all of the Enforcement Division's Public Finance Abuse Unit.

ADMINISTRATIVE PROCEEDING

File No. 3-22479

Father And Son Plead Guilty To Defrauding Sports Park Bondholders - U.S. Attorney's Office, Southern District of New York

Jay Clayton, the United States Attorney for the Southern District of New York, announced today that RANDY MILLER and CHAD MILLER pled guilty to securities fraud and aggravated identity theft in connection with their scheme to defraud municipal bond investors. The defendants pled guilty before U.S. Magistrate Judge Robyn F. Tarnofsky and will be sentenced before U.S. District Judge Lewis A. Kaplan at a later date.

> "Randy and Chad Miller's fraudulent actions resulted in nearly total losses for investors," said U.S. Attorney Jay Clayton. "As today's guilty pleas make clear, this Office remains committed to protecting the integrity of the public finance system and holding accountable those who exploit investors' trust. This case demonstrates the strength of our partnership with the FBI, whose diligent investigation uncovered the defendants'

fraud."

According to the allegations contained in the Indictment, the Superseding Information, public filings, and statements made in court:

RANDY MILLER and CHAD MILLER defrauded investors in municipal bonds used to fund the development of a major sports complex in Mesa, Arizona called Legacy Park. In connection with the initial $250 million bond offering in August 2020 and supplemental bond offering in June 2021, the defendants lied to potential investors about the interest sports organizations and other potential customers had in using or relocating to Legacy Park. The defendants and their associates forged and altered purported "binding" letters of intent and other documents from those potential customers to make it appear that the customers were committing to holding many events at Legacy Park, with a significant number of spectators, and agreeing to pay large fees – all far beyond what the organizations were considering, if they were considering Legacy Park at all. In some instances, RANDY MILLER and CHAD MILLER signed and directed others to sign customers' names without the customers' knowledge or permission. At other times, the defendants copied and directed others to copy the signatures of other customers onto the fabricated letters, again without the customers' knowledge or permission. As part of their scheme, the defendants forged documents on behalf of numerous persons and organizations, including an organization that promotes sports for disabled athletes.

RANDY MILLER and CHAD MILLER presented the fraudulent documents to prospective bond investors and incorporated them into their solicitation materials by claiming that Legacy Park would be 100% occupied at opening and would generate nearly $100 million in revenue in its first year of operations, more than enough to cover the bond payments.

After the Legacy Park bonds were sold to investors, RANDY MILLER and CHAD MILLER profited personally from the bond proceeds raised. Legacy Park opened in 2022 and failed shortly thereafter, defaulting on its bonds in October 2022 and filing for bankruptcy in May 2023. The project was later sold in bankruptcy for less than $26 million. Of those proceeds, less than $2.5 million went to repay the approximately $284 million owed to Legacy Park bondholders.

* * *

RANDY MILLER, 70, and CHAD MILLER, 41, both of Phoenix, Arizona, pled guilty to one count of securities offering fraud, which carries a maximum sentence of five years in prison, and one count of aggravated identity theft, which carries a mandatory consecutive sentence of two years in prison. As part of their guilty pleas, money judgments in the amounts of $7,289,134.89 and $4,798,980.19 were entered against RANDY MILLER and CHAD MILLER, respectively.

The maximum potential sentence in this case is prescribed by Congress and is provided here for informational purposes only, as any sentencing of the defendants will be determined by a judge.

Mr. Clayton praised the outstanding work of the Federal Bureau of Investigation. Mr. Clayton also thanked the U.S. Securities and Exchange Commission, which has filed a parallel civil action.

The case is being handled by the Office's Securities and Commodities Fraud Task Force. Assistant U.S. Attorneys Matthew R. Shahabian and Courtney L. Heavey are in charge of the prosecution.

us_v._randy_miller_and_chad_miller_superseding_information.pdf

Contact

Nicholas Biase, Shelby Wratchford
(212) 637-2600

Updated May 28, 2025

Sports Park Promoters Plead Guilty to $280 Million Bond Fraud.

A father and son from Phoenix pleaded guilty to defrauding several of the nation's biggest investment firms about the business prospects of a failed Arizona sports complex that wound up costing municipal bondholders more than $280 million.

Randy Miller, 70, and his son Chad, 40, entered their pleas Wednesday to securities fraud and aggravated identity theft in Manhattan federal court. Victims of the scheme included Vanguard Group Inc., AllianceBernstein Holding LP, Macquarie Group's Delaware Funds and others firms that invested in bonds linked to their Legacy Park development in Mesa.

The Millers were charged last month with using fabricated letters of intent and fake pre-contracts to claim that various organizations were lined up to use the park. Bloomberg had reported that the pair claimed in bond prospectuses that they had deals with British soccer powerhouse Manchester United and a youth affiliate of US Major League Soccer's Real Salt Lake. Those teams and others later denied signing up with the pair.

Continue reading.

Bloomberg Industries

By Chris Dolmetsch

May 28, 2025

SEC Speaks 2025: Key Takeaways from Division of Enforcement Panels

Key Takeaways

1. The SEC's Division of Enforcement intends to remain a "cop on the beat," and will refocus on traditional core enforcement areas, such as insider trading, accounting and disclosure fraud, market manipulation, and breaches of fiduciary duties by investment advisers.
2. The SEC will prioritize matters that involve harm to retail investors and dangerous foreign actors, with a renewed emphasis on pursuing charges against individuals engaged in misconduct.
3. SEC enforcement leadership supports more transparency during the pre-charge "Wells" process and pledged to meet with defense counsel at least once (if requested) before charges are instituted.
4. Registered entities can expect the Division of Enforcement to be less focused on exam deficiencies that lack any indication of fraud or harm to investors.
5. The Division of Enforcement has replaced its "Crypto Assets and Cyber" unit with a "Cyber and Emerging Technologies" unit, which will have a particular focus on the misuse of technology and/or terminology (e.g., "artificial intelligence") to generate excitement around investment

products or otherwise commit fraud.

Summary and Highlights

At the SEC Speaks 2025 conference, held in Washington, D.C., from May 19-20, 2025, senior Securities and Exchange Commission ("SEC") officials shared their observations on what the legal and business community can expect from the SEC's Division of Enforcement ("Division") in the years to come. Over the course of two panels1 dedicated to the Division, panelists discussed key enforcement trends and priorities, including the Division's renewed emphasis on individual liability, harm to retail investors, and dangerous foreign actors. The panelists also affirmed the Division's continued commitment to traditional enforcement priorities and cautioned the defense bar and the broader public to be skeptical of contrary dire predictions. In addition, the panelists explained some recent reorganization efforts and how these changes will facilitate the Division's work going forward. And the panelists provided the defense bar with guidance regarding effective legal advocacy, cooperation, and recommendations for dealing with the Division's staff during their investigations.

Continue reading.

Ropes & Gray LLP – R. Daniel O'Connor , James R. Drabick, Chimso Okoji and Noah P. Mathews

May 23 2025

SEC Enforcement Leadership Discusses New Priorities and Expectations.

On May 20, 2025, as part of the annual "SEC Speaks" program, the leadership of the U.S. Securities and Exchange Commission's (SEC) Division of Enforcement publicly discussed the enforcement priorities under new Chairman Paul S. Atkins. A panel of SEC enforcement personnel, including Acting Director of Enforcement Samuel Waldon and others, shed light on the current focus of enforcement activity under the SEC's new leadership and what the Division of Enforcement expects from companies and individuals involved in SEC investigations.

Focus on Traditional Enforcement Areas and Investor Harm

A theme among the panelists was that, despite some media reports to the contrary, the Division of Enforcement will continue its work under new leadership to enforce the federal securities laws and protect investors. Specifically, the panel explained that the SEC will continue to focus on traditional areas of enforcement, including (1) insider trading, (2) accounting and disclosure fraud, (3) fraudulent securities offerings, and (4) breaches of fiduciary duty by investment advisers.

Additionally, within those broad categories, the panel noted that enforcement staff will focus their resources on matters involving harm to investors, especially retail investors. The panel also emphasized the importance of holding individuals – not just companies – accountable for violations.

Continue reading.

by Timothy Halloran

May 22, 2025

Bradley Arant Boult Cummings LLP

Financial Accounting Foundation Board of Trustees Seeks Nominations for Governmental Accounting Standards Board (GASB) Member.

Norwalk, CT, May 19, 2025 — The Financial Accounting Foundation (FAF) Board of Trustees today announced the search for a new member of the Governmental Accounting Standards Board (GASB). The seven-member, part-time Board will have an open seat beginning on July 1, 2026, when Jeff Previdi completes his second term on June 30, 2026.

The FAF is responsible for selecting the members of the GASB and its Advisory Council, the Governmental Accounting Standards Advisory Council (GASAC). The Board of Trustees is seeking a highly qualified individual with substantial experience as a user of financial statements to fill the upcoming vacancy.

Beyond this specific professional background, interested candidates must demonstrate a track record of professional conduct that is conducive to the standard-setting process. Important traits include a high level of intellect that is applied with integrity and discipline; the ability to work in a collegial, consensus driven environment; excellent communication skills; and a commitment to advocate for the public interest.

The GASB is comprised of members with experience as state and local government financial statement auditors and preparers, a governmental financial statement user, a public accounting auditor, and a governmental accounting academic. The background and perspective of a state and/or local government user of financial statements is important to the success of the GASB.

The appointment is a part-time role that requires approximately one-third the time commitment of a full-time position. The successful candidate will be appointed to an initial five-year term and may be eligible for reappointment to an additional term of up to five years. A full job description and list of requirements can be found on the FAF website.

To apply for consideration, interested individuals should submit a resume and cover letter and/or CV, along with contact information for five (5) professional references to the attention of Maureen Barry, Senior Consultant, MGT at GovHRjobs.com.

Applications for interested candidates must be submitted by the close of business on July 18, 2025.

Public Finance Provisions in the House Tax Bill Impacting Municipal Market Participants: Greenberg Traurig

The House Committee on Ways and Means advanced a tax bill on May 14, 2025, as part of the budget reconciliation legislation aimed at enacting the Trump administration’s fiscal priorities. Notably, the proposed legislation does not eliminate or limit the exclusion of interest from gross income for federal income tax purposes for any class of municipal bonds. Among the proposed changes to current tax law, the bill includes provisions impacting the municipal market and its participants that would:

1. enhance the low-income housing tax credit,
2. increase the rate of, and the range of institutions subject to, the endowment tax added in 2017,
3. make technical amendments to the small issue manufacturing bond provisions, and
4. curtail the continued availability of clean energy credits for new projects.

Low-Income Housing

The bill proposes several changes to the low-income housing tax credit program, including:

- Temporarily lowering the tax-exempt bond-financing requirement for projects using the "4%" low-income housing tax credit to 25% of the project's aggregate basis, down from the current 50%. This lower threshold would apply to buildings placed in service after Dec. 31, 2025, where at least 5% of the financing is sourced from bonds issued between Dec. 31, 2025, and Jan. 1, 2030.
- Increasing the ceiling on housing tax credits allocable by states by 12.5% for calendar years 2026 through 2029.
- Raising the eligible basis for buildings placed in service between Dec. 31, 2025, and Jan. 1, 2030, by up to 30% for projects in rural and Indian areas, as defined under section 4(11) of the Native American Housing Assistance Self Determination Act of 1996.

Endowment Tax

The proposed legislation includes changes to the excise tax imposed on private colleges, universities, and foundations:

- Increasing the excise tax rate for private colleges and universities with endowments of more than $750,000 per eligible student from the current flat rate of 1.4% to an annual rate ranging between 7% and 21%, depending on the institution's student-to-endowment value ratio.
- Narrowing the definition of eligible students to those meeting the student eligibility requirements under section 484(a)(5) of the 7 Higher Education Act of 1965, generally limited to U.S. citizens and permanent residents.
- Including income derived from student loan interest and royalties from federally subsidized research in the calculation of net investment income subject to the excise tax.
- Exempting certain religiously affiliated colleges and universities from the endowment tax.
- Raising the excise tax rate on private foundations' net investment income from the current flat rate of 1.39% to an annual rate of up to 10% for private foundations with assets of at least $5 billion.

Small Issue Bonds

The bill proposes technical changes to Section 144 of the Internal Revenue Code to reflect updates made to the capitalization of certain startup costs.

Clean Energy Tax Credits

The bill aims to accelerate the phase-out and termination of various clean energy tax credit programs:

- Gradually phasing out the 48E Investment Tax Credit and 45Y Production Tax Credit starting in 2029, with full elimination by 2032.
- Repealing the transferability of credits for projects commencing construction after Dec. 31, 2027, and clean fuel production starting after the same date.
- Terminating tax credits for electric vehicles and chargers sold or placed in service after Dec. 31, 2025, with limited exceptions.

Next Steps

The reconciliation bill, including these tax provisions, will be consolidated by the House Budget Committee and subsequently reviewed by the Rules Committee before consideration on the House floor. Once passed, the bill will require approval by both chambers of Congress, with differences resolved before enactment. The legislative process may bring changes to these tax provisions.

Greenberg Traurig – Solomon Cadle, Vanessa Albert Lowry and Louis Couture

May 14 2025

GFOA Releases April Issue of Government Finance Review.

What's in the April Issue of GFR?

The latest issue of Government Finance Review features articles on our upcoming membership changes, an overview of effective project governance, updates on the latest PCI standards, insights into the art of writing fiscal notes, understanding new solutions for public-sector risk management, member spotlights, and much more. Don't miss the opportunity to stay informed and inspired.

Read Online

MSRB Market Recap.

Read the MSRB Recap.

May 8, 2025

Three Political Law Landmines for Hedge Funds, Private Equity Funds, and Investment Firms: Covington & Burling

Last year, an asset manager with offices in New York, Texas, and Vermont was publicly censured by the Securities and Exchange Commission and ordered to pay a substantial fine. Its offense? The asset manager hired an individual who had previously made a personal political donation to the campaign of a state official who appointed members to a board that could influence the investment decisions of one of the asset manager's current investors. Even though the individual made the contribution more than six months before joining the firm and even though the new hire received a refund for the offending contribution, that was not enough to stop the SEC from slapping penalties on the firm.

Perhaps no industry faces more scrutiny and regulation of its political activities than the financial industry. These rules are often not intuitive and failure to comply with them can result in big penalties, loss of business, and debilitating reputational consequences. This primer describes three sometimes overlooked risk areas for investment firms: (i) ensuring that covered employees and others affiliated with the investment firm do not make or solicit political contributions that result in

“pay-to-play” problems for the firm; (ii) identifying when investor relations activities trigger state or local lobbying registration requirements; and (iii) conducting political law due diligence on prospective investments and portfolio companies. For each risk area, this advisory outlines best practices for avoiding these common compliance traps.

Protecting Against a Potentially Crippling Pay-to-Play Violation

Most investment firms by now are aware of the complex pay-to-play regulations that restrict the ability of the firms and certain of their employees to make political contributions. But even firms well-versed in these restrictions might overlook some of the nuances and risks presented by this complicated patchwork of laws and regulations.

Continue reading.

Covington & Burling LLP – Zachary G. Parks and Derek Lawlor

May 8 2025

The Impact of Natural Disasters on Municipal Financing and Disclosure: Pullman & Comley

The wildfires in Southern California earlier this year were another sobering reminder of the devastating impact of natural disasters on local communities, and Connecticut is certainly not immune. Evidence suggests that both the frequency and severity of severe weather events in southern New England are on the rise, with recent examples including:

- August 2024’s extreme rainfall event in southwestern Connecticut, where more than 10 inches of rain fell in a 24-hour period;
- Fall 2024’s historic drought (the state’s driest two-month period in 120 years), which sparked brush fires across Connecticut; and
- Summer 2023’s Connecticut River flooding, which devastated riverfront agriculture just as harvest season was beginning.

Connecticut’s estimated flood-related losses were $469 million in 2020, and studies project that number to increase by 18 percent by the year 2050. A growing number of extreme weather events, coupled with rising sea levels, wetland loss, and coastal flooding, puts municipalities across the state at risk of significant damage to local infrastructure and economies. Damage from natural disasters can lead to long-term financial strain and disruption to municipalities as evidenced by:

- Decreased assessed value for property tax,
- Losses due to outflow of population,
- Direct damage to physical infrastructure,
- Higher costs related to providing emergency services,
- Higher insurance and claim costs, and
- Increased capital costs to build community resilience.

The financial strain can ultimately result in rating downgrades and increased bond yields because investors perceive higher risk in areas prone to such events and demand greater returns to compensate for potential losses. Although federal and state aid along with insurance proceeds often mitigate the financial impacts of natural disasters, many municipalities are taking steps to address

the increasing risk, including developing climate resiliency plans and implementing measures to protect infrastructure and communities. While the development and execution of these plans are important for municipal issuers, disclosure of such plans during a municipal financing is equally important for transparency, informed investment decisions, and ensuring the long-term financial stability of municipalities, as investors are increasingly demanding such data.

As stated in a recently released report by Ceres, a nonprofit organization that inspires companies and municipalities to advocate for policy solutions to global challenges: "[g]ood climate risk disclosure may become the 'price of admission' to capital market access. Strong disclosure is an opportunity for municipal governments to own the narrative on their preparedness as well as a means to be better prepared organizationally to meet these risks." The report recommends that adequate disclosure of climate related risks for municipal issuers may include:

- description of past weather events that had a material financial impact,
- statement of how climate risks could impact payment of debt service,
- identification of how planning for risk management and mitigation are organized and governed, and
- status and discussion of resiliency planning and description of current and future steps being taken to mitigate risks.

The National Federation of Municipal Analysts has made natural disasters and climate-related risks a major focus for 2025. A newly formed committee has been tasked with making additional recommendations in connection with both pre-event and post-event disclosure. Once the report is published and recommendations are available, municipal issuers can evaluate and adjust their disclosure practices, if necessary.

Pullman & Comley, LLC

by Daniel Barrack & Jessica Grossarth Kennedy

April 29, 2025

Investors Need Better Information On Municipal Climate Risks.

Cities across the country are facing a stark increase in extreme weather events.

From hurricanes to wildfires, the U.S. has endured 403 billion-dollar climate and weather disasters since 1980—leaving behind a trail of destruction that's cost the country more than $2.9 trillion. Earlier this year, the Los Angeles fires killed dozens of people and caused more than $250 billion in damages.

The loss of life and property from this fire is a harsh wake-up call for states and local governments, which are often called the first responders to these weather disasters. Yet, current disclosure of these risks in the $4 trillion municipal bond market remains inconsistent and inadequate. As a result, investors lack the information needed to make informed investment choices.

Nowhere is this gap clearer than in the recent Los Angeles Water and Power municipal bonds credit rating downgrades. This downgrade represents a fundamental shift in how the market assesses the risks and opportunities in the municipal bond market. For investors and municipal bond issuers alike, the message is clear: climate transparency is no longer optional, it's the price of admission to

capital markets.

Continue reading.

Forbes.com

By Mindy Lubber, Contributor.
Mindy Lubber is CEO and president of Ceres, a sustainability nonprofit organization.

Apr 24, 2025

Leading with Transparency: A Guide to Strengthening Climate Disclosure and Resilience in the Municipal Bond Market

As climate-related disasters become more frequent and costly, municipal governments are on the front lines—responsible for protecting communities, maintaining essential services, and investing in infrastructure that can withstand future risks.

This guide supports state and local governments in strengthening climate-related financial disclosures—an essential step in building resilience, accessing capital, and planning for long-term stability.

Why this matters:

- The $4 trillion municipal bond market is essential to funding resilience and disaster response.
- In 2023 alone, $508 billion in municipal bonds were issued.
- But climate risks are still under disclosed, despite mounting disasters and rising costs.
- 17% of U.S. counties currently face compound exposure to climate hazards like floods, hurricanes, and fires—which are only increasing.
- Wildfires in Los Angeles in 2025 caused $250 billion in damage—and led to bond downgrades for issuers with over $70 billion in outstanding debt.

This guide highlights:

- Practical steps for disclosing climate risks in financial statements, bond offering documents, and voluntary sustainability and climate action reports.
- Real-world examples from major municipal bond issuers including Boston, Seattle, Miami-Dade County, and others.

Download Report

ceres.org

April 8, 2025

MSRB Discusses Market Regulation and Transparency Initiatives at Quarterly Board Meeting.

Washington, D.C. – The Board of Directors of the Municipal Securities Rulemaking Board (MSRB) met on April 23-24, 2025, holding its third quarterly meeting of fiscal year 2025. The Board discussed its FY 2025 regulatory modernization and market transparency initiatives.

“MSRB’s continued efforts to engage with the industry and modernize its suite of rules through a retrospective rule review were front and center during our quarterly Board meeting,” MSRB Board Chair Bo Daniels said. “We appreciate the robust stakeholder engagement and response to our requests for feedback on both the rate card and municipal fund securities concept release and look forward to ongoing dialogue with the industry and moving both initiatives forward with the benefit of the public comments we received.”

Market Regulation

The Board discussed ongoing regulatory matters and retrospective rule reviews, including:

- **Rate Card Request for Information (RFI):** Reviewing public comments and stakeholder feedback on the rate card, along with discussing potential changes to the rate card to address stakeholder concerns, which include stability and predictability in MSRB’s fees, MSRB’s reserves and diversification of MSRB’s revenue mix.
- **Municipal Fund Securities (MFS):** An initial evaluation of comments received from market participants on a concept release regarding modernization of MFS disclosure prior to additional analysis, outreach and data gathering.
- **Market Infrastructure Rules:** Identifying areas within the MSRB rulebook that could provide opportunities for removing barriers to technological and product innovation in the municipal market and where MSRB could benefit from future extensive stakeholder feedback on modernization.
- **Rule A-12:** The Board approved additional technical amendments in connection with its previously approved forthcoming collection of information related to bank dealer associated persons.

Market Transparency

The Board received an update on the modernization of the Electronic Municipal Market Access (EMMA) website, and discussed feedback received from among the over 100 industry stakeholders who were invited to participate in the first round of beta testing.

Additionally, the Board received an update on current MSRB research and the ongoing policy discussions surrounding the tax-exemption of municipal bonds.

Date: April 25, 2025

Contact:
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Pension Plan Withdrawal Liability Takes Center Stage in Bankruptcy Judge's "Preliminary Observations" - Kramer Levin

A recent decision from the Bankruptcy Court for the District of Delaware in *In re Yellow Corp.* could have widespread implications for bankruptcy cases, including municipal bankruptcy cases. Of

particular interest, the Judge determined:

- Settlement of a claim to which a third party has filed an objection is subject to a heightened standard of review;
- The bankruptcy code's disallowance of post-petition interest applies to claims accelerated pre-petition;
- Where future payments include an interest component (either explicit or implicit), that component is disallowed as unmatured interest, but no further discounting is appropriate;
- The proper discount rate to use to calculate the present value of a pension withdrawal claim is the pension plan's assumed rate of return on assets; and
- The limitation on withdrawal liability applicable to an insolvent employer (ERISA section 4225(b)/29 U.S.C. § 1405(b)) undergoing liquidation or dissolution is applied after the application of the 20-year cap.

On Monday, April 7, 2025, Judge Craig T. Goldblatt published "preliminary observations" on a dispute between the Debtors, MFN Partners (which held both debt and equity), and various multiemployer pension plans on the amount of the pension plans' claims.[1] Judge Goldblatt was originally prepared to issue a decision on various motions for summary judgment that were before him, but after the Debtors and the Official Committee of Unsecured Creditors (the "UCC") requested that he hold off in light of the filing of a joint plan that would settle the dispute, he instead released his thoughts as preliminary observations.

Continue reading.

Kramer Levin Naftalis & Frankel LLP – Alice J. Byowitz

April 15 2025

MSRB Announces Agenda Topics for Quarterly Board Meeting.

Washington, DC – The Board of Directors of the Municipal Securities Rulemaking Board (MSRB) will meet on April 23-24, 2025, to hold the third quarterly meeting of fiscal year 2025.

Highlights of the Board discussion will include:

Market Regulation
The Board will discuss several regulatory initiatives and receive updates on MSRB's ongoing retrospective rule reviews, including:

- **Rate Card Request for Information (RFI):** Reviewing public comments and stakeholder feedback on the rate card.
- **Municipal Fund Securities (MFS):** Evaluating comments received from market participants on a concept release regarding modernization of MFS disclosure.
- **Market Infrastructure Rules:** Assessing MSRB rules that may be impacted by market innovations that could challenge traditional market structure and practices.

Market Transparency
The Board will receive an update on the modernization of the Electronic Municipal Market Access (EMMA) website, including feedback from the first round of beta testing by industry stakeholders about the value of EMMA's enhancements for investors and other market participants.

Additionally, the Board will receive an update on recent municipal market activity, current MSRB research and the ongoing policy discussions surrounding the tax-exemption of municipal bonds.

Date: April 16, 2025

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What Counties Need to Know: ARPA SLFRF Reporting Deadline - NACO

Continue reading.

National Association of Counties

Apr 14, 2025

NLC FAQs: Meeting the ARPA SLFRF Reporting Deadline

As the April 30, 2025 reporting deadline for ARPA's State and Local Fiscal Recovery Funds (SLFRF) fast approaches, many local governments have questions about how to login to their accounts, properly report and ensure that they communicate that their funding was obligated by the 12/31/2024 deadline. Failure to submit a report by the April 30, 2025 deadline could result in adverse action from the U.S. Department of Treasury, including federal recapture of funds. Below, we provide answers to some of the most frequently asked questions (FAQs).

Why is the 2025 Reporting Extra Critical for Annual Reporters?

Since this is your city's first report since the 12/31/24 obligation deadline, what you report this April for obligations should be the balance of your total ARPA award, leaving outstanding obligations at $0.00. If you do not report your funding as fully obligated, you will need to return the unobligated funds back to the Department of Treasury. If you do not submit a report by April 30, Treasury will assume that the funding is unobligated.

Additionally, this is your last opportunity to claim the Standard Allowance/Revenue Replacement option for more flexible reporting.

Continue reading.

National League of Cities

By: Dante Moreno

April 8, 2025

New Guidance Outlines Best Practices for Municipal Bond Issuers Facing Growing Climate Threats.

As climate-related disasters become more frequent and costly, municipal governments are on the front lines—responsible for protecting communities, maintaining essential services, and investing in infrastructure that can withstand future risks.

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- Real-world examples from major municipal bond issuers including Boston, Seattle, Miami-Dade County, and others.

Download Report

ceres.org

GFOA: Unlocking the Secrets of the Accelerated ACFR

Many local governments struggle to complete their Annual Comprehensive Financial Report (ACFR) on time and without excessive effort. This paper explores how governments can streamline the ACFR process to finish faster and with less strain—helping public finance officers avoid burnout and focus on other priorities.

Read report

Government Finance Officers of America

Potential Modernization of Municipal Fund Securities Disclosure Obligations: SIFMA Comment Letter

Summary

SIFMA provided comments to the Municipal Securities Rulemaking Board (MSRB) in response to the Concept Release regarding its Potential Modernization of Municipal Fund Securities Disclosure Obligations.

Read the SIFMA Comment Letter.

FINRA Fines Firm and Its CCO for Supervisory and Reporting Failures: Reed Smith

On March 24, 2025, United First Partners LLC ("UFP") and its Chief Compliance Officer, Elizabeth Dickerson ("Dickerson"), entered into a Letter of Acceptance, Waiver, and Consent ("AWC") with the Financial Industry Regulatory Authority ("FINRA") to resolve allegations that UFP and Dickerson failed to establish and maintain a reasonable supervisory system, including written procedures, designed to supervise the outside brokerage accounts of its registered representatives and restrict or limit the information flow between UFP's research department and its sales and trading personnel. The AWC also resolved allegations that UFP failed to report its eligible fixed income transactions to the Trade Reporting and Compliance Engine (known as TRACE) and customer municipal transactions to the Real-time Transaction Reporting System (known as RTRS), and that it sent inaccurate or incomplete confirmations to some of its customers in connection with options transactions.

Specific Supervisory and Reporting Failures According to FINRA, from April 2019 to June 2022, UFP and Dickerson permitted unrestricted interactions between the firm's research department and its sales and trading staff, including the regular circulation of draft research reports to sales and trading staff to obtain their input on, among other things, recommendations in the reports. Additionally, from March 2020 to March 2021, the peak of the COVID-19 pandemic, when Dickerson worked remotely, she failed to review statements associated with registered representatives' outside brokerage accounts, contributing to the firm's failure to detect and investigate trading in securities covered by the firm's research group by three employees. Dickerson also did not consistently review the annual compliance attestations of the firm's associated persons and failed to obtain compliance questionnaires from any of its representatives in 2021.

Pursuant to the AWC, UFP consented to a censure, a $215,000 fine, and an undertaking that it will implement a supervisory system, including written supervisory procedures, reasonably designed to achieve compliance with federal securities laws and regulations, rules of the relevant self-regulatory organizations, and to remediate the issues identified above, within 90 days of the AWC. Dickerson consented to a one-month suspension in her capacity as a principal and a $5,000 fine.

Compliance Lessons In addition to highlighting the longstanding obligation of member firms to maintain a reasonably designed supervisory system, policies, and procedures, the AWC underscores the importance of ensuring that such supervisory systems and written policies and procedures are implemented and enforced at all times, including during unprecedented globally disruptive events such as the COVID-19 pandemic. For example, FINRA found that UFP's written supervisory procedures failed to identify any steps to verify the receipt of duplicate statements for its representatives' outside brokerage accounts, or instructions on how compliance should review them. Dickerson was designated as the sole representative responsible for requesting and reviewing the duplicate statements; however, her review was sporadic and limited to just three to four accounts

(out of approximately forty) per month. FINRA determined that the review process was not reasonable given the volume of monthly statements and because it did not facilitate the identification of patterns or activity over time or across accounts.

The AWC is a reminder for member firms to review their supervisory systems and written supervisory procedures, and to ensure they are reasonably designed and consistently implemented and enforced at all times.

Reed Smith LLP – Pawel Maziarz, Kiran Somashekara and Daniel H. Ahn

April 4 2025

SEC Files Charges Against Three for Creating False Documents for Investors.

The Securities and Exchange Commission (SEC) has charged three individuals with creating false documents for investors.

The charges were filed against Randall "Randy" Miller, Chad Miller, and Jeffrey De Laveaga for creating false documents that were provided to investors in two municipal bond offerings. The bond raised $284 million to build one of the largest sports venues of its kind in the United States.

According to the SEC's complaint, Randy Miller's nonprofit company, Legacy Cares, issued approximately $284 million in municipal bonds through an Arizona state entity to finance the construction of a multi-sports park and family entertainment center in Mesa, Arizona. This was done in August 2020 and June 2021.

Investors were to be paid from revenue from the sports complex. They were given financial projections for revenue that were multiple times the amount needed to cover payments to investors, according to the complaint. However, the SEC alleges that the defendants fabricated or altered documents forming the basis for those revenue projections, including letters of intent and contracts with sports clubs, leagues, and other entities to use the sports complex.

The sports complex opened in January 2022 with far fewer events and much lower attendance than expected. And it generated tens of millions less in revenue than anticipated under the false projections. Ultimately, the bonds defaulted in October 2022, according to the complaint.

"As our complaint alleges, these defendants used fake documents to deceive municipal bond investors into believing a sports complex would generate more than enough revenue to make payments to bondholders," Antonia Apps, acting deputy director of the SEC's Division of Enforcement, said. "Maintaining the integrity of the approximately $4 trillion municipal bond market is critical for local governments and investors alike. The SEC will hold accountable individuals who defraud municipal bond investors."

The complaint, filed in the U.S. District Court for the Southern District of New York, charges Randy Miller, Chad Miller, and De Laveaga with violating the antifraud provisions of the federal securities laws. It seeks permanent injunctions, conduct-based injunctions, disgorgement with prejudgment interest, and civil penalties.

In a parallel action, the U.S. Attorney's Office for the Southern District of New York levied criminal charges for similar conduct.

financialregnews.com

By Dave Kovaleski | April 3, 2025

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