

## FORM 3

## UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

## INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

## OMB APPROVAL

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Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934  
 or Section 30(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person * <u>Schimpf Eric A.</u>  (Last) (First) (Middle) <u>100 N TRYON STREET</u>  (Street) <u>CHARLOTTE NC 28255</u>  (City) (State) (Zip)	2. Date of Event Requiring Statement (Month/Day/Year) <u>04/26/2023</u>	3. Issuer Name and Ticker or Trading Symbol <u>BANK OF AMERICA CORP /DE/ [ BAC ]</u>  4. Relationship of Reporting Person(s) to Issuer (Check all applicable) Director 10% Owner <input checked="" type="checkbox"/> Officer (give title below) Other (specify below) <u>Pres, Merrill Wealth Mgmt</u>  5. If Amendment, Date of Original Filed (Month/Day/Year)  6. Individual or Joint/Group Filing (Check Applicable Line) <input checked="" type="checkbox"/> Form filed by One Reporting Person Form filed by More than One Reporting Person	
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## Table I - Non-Derivative Securities Beneficially Owned

1. Title of Security (Instr. 4)	2. Amount of Securities Beneficially Owned (Instr. 4)	3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5)	4. Nature of Indirect Beneficial Ownership (Instr. 5)
Common Stock	1,983	D	
Common Stock	988	I	by UTMA

## Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 4)	2. Date Exercisable and Expiration Date (Month/Day/Year)		3. Title and Amount of Securities Underlying Derivative Security (Instr. 4)		4. Conversion or Exercise Price of Derivative Security	5. Ownership Form: Direct (D) or Indirect (I) (Instr. 5)	6. Nature of Indirect Beneficial Ownership (Instr. 5)
	Date Exercisable	Expiration Date	Title	Amount or Number of Shares			
Restricted Stock Units	(1)	01/25/2024	Common Stock	18,000	(2)	D	
Restricted Stock Units	(3)	02/15/2025	Common Stock	16,000	(2)	D	
2021 Restricted Stock Units	(4)	02/15/2025	Common Stock	10,072	(2)	D	
Restricted Stock Units	(5)	02/15/2026	Common Stock	40,000	(2)	D	
Restricted Stock Units	(6)	02/15/2026	Common Stock	14,814	(2)	D	
2022 Restricted Stock Units	(7)	02/15/2026	Common Stock	7,875	(2)	D	
Restricted Stock Units	(8)	02/15/2027	Common Stock	30,000	(2)	D	
2023 Restricted Stock Units	(9)	02/15/2027	Common Stock	28,518	(2)	D	

## Explanation of Responses:

- The reporting person was previously granted units, vesting in two equal annual installments commencing on January 25, 2023.
- Each unit represents a contingent right to receive one share of Bank of America Corporation common stock.
- The reporting person was previously granted units, vesting in two equal annual installments commencing on February 15, 2024.
- The reporting person was previously granted units, vesting in four equal annual installments commencing on February 15, 2022.
- The reporting person was previously granted units, vesting in two equal annual installments commencing on February 15, 2025.
- The reporting person was previously granted units, vesting in sixteen equal quarterly installments commencing May 15, 2022.
- The reporting person was previously granted units, vesting in four equal annual installments commencing on February 15, 2023.
- The reporting person was previously granted units, vesting in two equal annual installments commencing on February 15, 2026.
- The reporting person was previously granted units, vesting in four equal annual installments commencing on February 15, 2024.

## Remarks:

Exhibit List: Exhibit 24 - Power of Attorney

Eric A. Schimpf / Michael P. Lapp 05/05/2023  
POA

\*\* Signature of Reporting Person

Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

\* If the form is filed by more than one reporting person, see Instruction 5 (b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.

## POWER OF ATTORNEY

The undersigned hereby constitutes and appoints each of Ashley Cross, Amanda Daniel, Michael Hoes, Michael Lapp, Vincent Lichtenberger, Geoffrey Saxe, and Jeffrey Werbitt, or any of them acting singly, and with full power of substitution and revocation, as the undersigned's true and lawful attorney-in-fact, with full power to act for the undersigned and in the undersigned's name, place and stead, in any and all capacities, to:

- (1) prepare, execute in the undersigned's name and on the undersigned's behalf, and submit to the U.S. Securities and Exchange Commission (the "SEC") a Form ID, including amendments thereto, and any other documents necessary or appropriate to obtain codes and passwords enabling the undersigned to make electronic filings with the SEC of reports required by or considered by such attorney-in-fact to be advisable under Section 16 of the Securities Exchange Act of 1934, as amended (the "Exchange Act") or any rule or regulation of the SEC;
- (2) prepare and execute for and on behalf of the undersigned, in the undersigned's capacity as a reporting person pursuant to Section 16 of the Exchange Act, and the rules thereunder, of Bank of America Corporation (the "Company"), any and all Forms 3, 4 and 5 (including any amendments thereto) which the undersigned is required or such attorney-in-fact considers it advisable to file with the SEC, in accordance with Section 16(a) of the Exchange Act, with respect to any security of the Company;
- (3) do and perform any and all acts for and on behalf of the undersigned which may be necessary or desirable to complete and execute any such Form 3, 4 or 5 (or any amendment thereto) and timely file such form with the SEC and the New York Stock Exchange or similar authority;
- (4) obtain, as the undersigned's representative and on the undersigned's behalf, information regarding any transaction in the Company's equity securities from any third party, including the Company and any brokers, dealers, employee benefit plan administrators and trustees, and the undersigned hereby authorizes any such third party to release any such information to such attorney-in-fact; and
- (5) take any other action of any type whatsoever in connection with the foregoing which, in the opinion of any such attorney-in-fact, may be of benefit to, in the best interest of, or legally required by, the undersigned, it being understood that the documents executed by any such attorney-in-fact on behalf of the undersigned pursuant to this Power of Attorney shall be in such form and shall contain such terms and conditions as any such attorney-in-fact may approve in the discretion of any such attorney-in-fact.

The undersigned acknowledges that:

- a) This Power of Attorney authorizes, but does not require, any such attorney-in-fact to act in the undersigned's discretion on information provided to such attorney-in-fact without independent verification of such information;
- b) Any documents prepared or executed by such attorney-in-fact on behalf of the undersigned pursuant to this Power of Attorney will be in such form and will contain such information as such attorney-in-fact, in his or her discretion, deems necessary or desirable;
- c) Neither the Company nor any such attorney-in-fact assumes any liability for the undersigned's responsibility to comply with the requirements of Section 16 of the Exchange Act, any liability of the undersigned for any failure to comply with such requirements, or any liability of the undersigned for disgorgement of profits under Section 16(b) of the Exchange Act; and
- d) This Power of Attorney does not relieve the undersigned from responsibility for compliance with the undersigned's obligations under Section 16 of the Exchange Act, including, without limitation, the reporting requirements under Section 16 of the Exchange Act.

The undersigned hereby grants to each such attorney-in-fact full power and authority to do and perform any and every act and thing whatsoever requisite, necessary, or proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the undersigned might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all acts that any such attorney-in-fact, or the substitute or substitutes of any such attorney in-fact, shall lawfully undertake or cause to be undertaken by virtue of this Power of Attorney and the rights and powers herein granted.

This Power of Attorney shall remain in full force and effect until the undersigned is no longer required to file Forms 3, 4 and 5 with respect to the undersigned's holdings of and transactions in securities issued by the Company, unless earlier revoked by the undersigned in a signed writing delivered to the foregoing attorneys-in-fact. This Power of Attorney also serves to revoke, as of the date hereof, any Power of Attorney previously executed by the undersigned for the purpose of making filings pursuant to Section 16 of the Exchange Act on behalf of the undersigned.

IN WITNESS WHEREOF, the undersigned has caused this Power of Attorney to be

executed as of this 13th day of April 2023.

Signature: \_\_\_/s/ Eric A. Schimpf\_\_\_\_\_

Name: Eric A. Schimpf