FORM 4

## **UNITED STATES SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

Check this box to indicate that a transaction was made pursuant to a contract, instruction or written plan for the purchase or sale of equity securities of the issuer that is intended to satisfy the

#### STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

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

affirmative defense 10b5-1(c). See Inst									
1. Name and Address of Reporting Person*  MOYNIHAN BRIAN T			2. Issuer Name <b>and</b> Ticker or Trading Symbol BANK OF AMERICA CORP /DE/ [ BAC ]		Relationship of Reporting Person(s) to Issuer (Check all applicable)      (Check all applicable)				
(Last) 100 NORTH TRY	(First) YON STREET	(Middle)	3. Date of Earliest Transaction (Month/Day/Year) 04/15/2024	X	Director Officer (give title below) Chair and	10% Owner Other (specify below) CEO			
(Street) CHARLOTTE NC 28255 (City) (State) (Zip)			4. If Amendment, Date of Original Filed (Month/Day/Year)	Individual or Joint/Group Filing (Check Applicable Line)     X Form filed by One Reporting Person     Form filed by More than One Reporting Person					

### Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transac Code (Ir 8)		4. Securities Acquired (A) or Disposed Of (D) (Instr. 3, 4 and 5)			Securities Beneficially Owned Following Reported	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership
			Code	v	Amount	(A) or (D)	Price	Transaction(s) (Instr. 3 and 4)		(Instr. 4)
Common Stock	04/15/2024		M		20,683	A	(1)	2,573,610	D	
Common Stock	04/15/2024		D		20,683	D	\$35.95	2,552,927	D	
Common Stock								3,436.246(2)	I	401(k) Plan
Common Stock								100,000	I	By Trust

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

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security		3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transac Code (In 8)		5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Securities Underlying Derivative Security (Instr. 3 and 4)		8. Price of Derivative Security (Instr. 5)	9. Number of derivative Securities Beneficially Owned Following Reported	10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	Beneficial Ownership (Instr. 4)
				Code	v	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares		Transaction(s) (Instr. 4)		
2024 Cash Settled Restricted Stock Units	(1)	04/15/2024		М			20,683	(3)	02/15/2025	Common Stock	20,683	(1)	206,830	D	

#### **Explanation of Responses:**

- 1. Each unit is the economic equivalent of one share of Bank of America Corporation common stock.
- 2. The share equivalents attributed to the reporting person's 401(k) balance decreased 3.305 shares due to changes in the Net Asset Value (NAV) of the issuer's stock fund, offset by dividend reinvestments.
- 3. On February 15, 2024, the reporting person was granted units, vesting and payable solely in cash as follows: 1/12th of the stock units vest and become payable on the 15th day of each month during the 12-month period beginning in March 2024 and ending in February 2025.

Brian T. Moynihan / Michael P. Lapp POA 04/17/2024

\*\* Signature of Reporting Person

Date

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

- $^{\star}$  If the form is filed by more than one reporting person, see Instruction 4 (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.