

118TH CONGRESS
2D SESSION

H. R. 8900

To amend the Internal Revenue Code of 1986 to allow taxpayers to extend the compliance period of the low-income housing credit to receive additional credits.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2024

Mr. NICKEL introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow taxpayers to extend the compliance period of the low-income housing credit to receive additional credits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Keep Housing Afford-
5 able Act of 2024”.

1 **SEC. 2. ELECTION TO EXTEND COMPLIANCE PERIOD OF**
2 **LOW-INCOME HOUSING CREDIT.**

3 (a) IN GENERAL.—Section 42(f) of the Internal Rev-
4 enue Code of 1986 is amended by adding at the end the
5 following new paragraph:

6 “(6) ELECTION TO EXTEND COMPLIANCE PE-
7 RIOD.—

8 “(A) IN GENERAL.—A taxpayer may elect,
9 in the first taxable year following the end of the
10 compliance period with respect to a building, to
11 apply subsection (i)(1) by—

12 “(i) substituting ‘50 taxable years be-
13 ginning with the 1st taxable year after an
14 election is made with respect to such build-
15 ing under subsection (f)(6)(A)’ for ‘15 tax-
16 able years beginning with the 1st taxable
17 year of the credit period’, or

18 “(ii) substituting ‘30 taxable years be-
19 ginning with the 1st taxable year after an
20 election is made with respect to such build-
21 ing under subsection (f)(6)(A)’ for ‘15 tax-
22 able years beginning with the 1st taxable
23 year of the credit period’.

24 “(B) CREDIT PERIOD AFTER ELECTION.—
25 In the case of a building with respect to which
26 an election is made under subparagraph (A),

1 the term ‘credit period’ shall include the 15-
2 year period beginning on the first day of the
3 first taxable year with respect to which such
4 election is made.

5 “(C) LIMITATION.—A taxpayer may not
6 make an election under subparagraph (A) with
7 respect to a building with respect to which an
8 election has been made under clause (ii) of such
9 subparagraph in any preceding taxable year.

10 “(D) TREATED AS PLACED IN SERVICE.—
11 For purposes of this section, a building with re-
12 spect to which a taxpayer makes an election
13 under subparagraph (A) shall be treated as
14 being placed in service on the date on which
15 such election is made.”.

16 (b) INCLUSION IN SELECTION CRITERIA.—Section
17 42(m)(1)(C) of such Code is amended by striking “and”
18 at the end of clause (ix), by striking the period at the
19 end of clause (x) and inserting “, and”, and by adding
20 at the end the following new clause:

21 “(xi) projects with respect to which an
22 election has been made under subsection
23 (f)(6)(A).”.

24 (c) EXCEPTION FROM PRIVATE ACTIVITY BONDS
25 VOLUME CAP.—Section 146(g) of such Code is amended

1 by striking “and” at the end of paragraph (5), by striking
2 the period at the end of paragraph (6), and by inserting
3 after paragraph (6) the following new paragraph:

4 “(7) any bond used to refinance a qualified low-
5 income building (as defined in section 42(c)) during
6 the compliance period of such building if such com-
7 pliance period was extended at the election of the
8 taxpayer under section 42(f)(6)(A).”.

9 (d) EFFECTIVE DATE.—The amendment made by
10 this section shall apply to buildings placed in service after
11 the date of the enactment of this Act.

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