

118TH CONGRESS
1ST SESSION

S. 1420

To amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2023

Mr. CARDIN (for himself, Mrs. CAPITO, Mr. CARPER, Mr. BOOZMAN, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

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 “Collegiate Housing and
5 Infrastructure Act of 2023”.

1 **SEC. 2. CHARITABLE ORGANIZATIONS PERMITTED TO**
2 **MAKE COLLEGIATE HOUSING AND INFRA-**
3 **STRUCTURE GRANTS.**

4 (a) IN GENERAL.—Section 501 of the Internal Rev-
5 enue Code of 1986 is amended by adding at the end the
6 following new subsection:

7 “(s) TREATMENT OF ORGANIZATIONS MAKING COL-
8 LEGIATE HOUSING AND INFRASTRUCTURE IMPROVEMENT
9 GRANTS.—

10 “(1) IN GENERAL.—For purposes of subsection
11 (c)(3) and sections 170(c)(2)(B), 2055(a)(2), and
12 2522(a)(2), an organization shall not fail to be
13 treated as organized and operated exclusively for
14 charitable or educational purposes solely because
15 such organization makes collegiate housing and in-
16 frastructure grants to an organization described in
17 subsection (c)(7) which applies the grant to its colle-
18 giate housing property.

19 “(2) HOUSING AND INFRASTRUCTURE
20 GRANTS.—For purposes of paragraph (1), collegiate
21 housing and infrastructure grants are grants for
22 capital improvements to provide, improve, operate,
23 or maintain collegiate housing property that may in-
24 volve more than incidental social, recreational, or
25 private purposes, so long as such grants are for pur-
26 poses that would be permissible for a dormitory or

1 other residential facility of the college or university
2 with which the collegiate housing property is associ-
3 ated. A grant shall not be treated as a collegiate
4 housing and infrastructure grant for purposes of
5 paragraph (1) to the extent that such grant is used
6 to provide physical fitness facilities.

7 “(3) COLLEGIATE HOUSING PROPERTY.—For
8 purposes of this subsection, collegiate housing prop-
9 erty is property in which, at the time of a grant or
10 following the acquisition, lease, construction, or
11 modification of such property using such grant, sub-
12 stantially all of the residents are full-time students
13 at the college or university in the community where
14 such property is located.

15 “(4) GRANTS TO CERTAIN ORGANIZATIONS
16 HOLDING TITLE TO PROPERTY, ETC.—For purposes
17 of this subsection, a collegiate housing and infra-
18 structure grant to an organization described in sub-
19 section (c)(2) or (c)(7) holding title to property ex-
20 clusively for the benefit of an organization described
21 in subsection (c)(7) shall be considered a grant to
22 the organization described in subsection (c)(7) for
23 whose benefit such property is held.”

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to grants made in taxable years
3 ending after the date of the enactment of this Act.

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