

# Union Calendar No. 387

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1153

[Report No. 115-522]

To amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2017

Mr. HUIZENGA (for himself, Mr. ROYCE of California, Mr. DAVID SCOTT of Georgia, Mr. STIVERS, Mr. MEEKS, and Mr. JOYCE of Ohio) introduced the following bill; which was referred to the Committee on Financial Services

JANUARY 22, 2018

Additional sponsors: Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. MCCOLLUM, Mrs. WAGNER, Mr. ROSS, Mr. ROTHFUS, Mr. PITTENGER, Mr. WALBERG, Mr. DUFFY, Mr. MESSER, Mr. TROTT, Mr. NORMAN, and Mr. GOTTHEIMER

JANUARY 22, 2018

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction.

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 “Mortgage Choice Act  
5 of 2017”.

6 **SEC. 2. DEFINITION OF POINTS AND FEES.**

7       (a) AMENDMENT TO SECTION 103 OF TILA.—Sec-  
8 tion 103(bb)(4) of the Truth in Lending Act (15 U.S.C.  
9 1602(bb)(4)) is amended—

10           (1) by striking “paragraph (1)(B)” and insert-  
11 ing “paragraph (1)(A) and section 129C”;

12           (2) in subparagraph (C)—

13               (A) by inserting “and insurance” after  
14 “taxes”;

15               (B) in clause (ii), by inserting “, except as  
16 retained by a creditor or its affiliate as a result  
17 of their participation in an affiliated business  
18 arrangement (as defined in section 2(7) of the  
19 Real Estate Settlement Procedures Act of 1974  
20 (12 U.S.C. 2602(7))” after “compensation”;  
21 and

22               (C) by striking clause (iii) and inserting  
23 the following:

24                   “(iii) the charge is—

1           “(I) a bona fide third-party charge  
2           not retained by the mortgage originator,  
3           creditor, or an affiliate of the creditor or  
4           mortgage originator; or

5           “(II) a charge set forth in section  
6           106(e)(1);”;

7           (3) in subparagraph (D)—

8           (A) by striking “accident,”; and

9           (B) by striking “or any payments” and in-  
10          serting “and any payments”.

11          (b) AMENDMENT TO SECTION 129C OF TILA.—Sec-  
12          tion 129C of the Truth in Lending Act (15 U.S.C. 1639c)  
13          is amended—

14           (1) in subsection (a)(5)(C), by striking “103”  
15           and all that follows through “or mortgage origi-  
16           nator” and inserting “103(bb)(4)”; and

17           (2) in subsection (b)(2)(C)(i), by striking “103”  
18           and all that follows through “or mortgage origi-  
19           nator)” and inserting “103(bb)(4)”.

20          **SEC. 3. RULEMAKING.**

21          Not later than the end of the 90-day period beginning  
22          on the date of the enactment of this Act, the Bureau of  
23          Consumer Financial Protection shall issue final regula-  
24          tions to carry out the amendments made by this Act, and  
25          such regulations shall be effective upon issuance.



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