

119TH CONGRESS
2D SESSION

S. 5366

To amend the Internal Revenue Code of 1986 to allow 5-year carrybacks
for the low-income housing tax credit.

IN THE SENATE OF THE UNITED STATES

AUGUST 7, 2026

Mr. GALLEGO (for himself and Mr. ROUNDS) 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 allow 5-
year carrybacks for the low-income housing tax credit.

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 “Affordable Housing
5 Credit Carryback Act”.

6 **SEC. 2. 5-YEAR CARRYBACK FOR LOW-INCOME HOUSING**
7 **TAX CREDIT.**

8 (a) IN GENERAL.—Section 39(a)(3) of the Internal
9 Revenue Code of 1986 is amended—

1 (1) in the heading, by striking “ MARGINAL OIL
2 AND GAS WELL PRODUCTION CREDIT” and inserting
3 “CERTAIN CREDITS”,

4 (2) by inserting “or the low-income housing tax
5 credit allowed under section 42” after “well produc-
6 tion credit” in the matter preceding subparagraph
7 (A), and

8 (3) in subparagraph (A), by inserting “or the
9 low-income housing tax credit, as applicable” after
10 “well production credit”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to taxable years beginning after
13 the date of the enactment of this Act.

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