

110TH CONGRESS
1ST SESSION

S. 360

To amend the Internal Revenue Code of 1986 to expand expenses which qualify for the Hope Scholarship Credit and to make the Hope Scholarship Credit and the Lifetime Learning Credit refundable.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2007

Mr. BINGAMAN (for himself and Mr. SMITH) 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 expand expenses which qualify for the Hope Scholarship Credit and to make the Hope Scholarship Credit and the Lifetime Learning Credit refundable.

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 “Greater Access To
5 Education Act of 2007”.

1 **SEC. 2. EXPANSION OF EDUCATIONAL EXPENSES ALLOWED**
 2 **AS PART OF HOPE SCHOLARSHIP CREDIT.**

3 (a) QUALIFIED TUITION AND RELATED EXPENSES
 4 EXPANDED TO INCLUDE ROOM AND BOARD, BOOKS,
 5 SUPPLIES, AND EQUIPMENT.—Paragraph (1) of section
 6 25A(f) of the Internal Revenue Code of 1986 (defining
 7 qualified tuition and related expenses) is amended by add-
 8 ing at the end the following new subparagraph:

9 “(D) ADDITIONAL EXPENSES ALLOWED
 10 FOR HOPE SCHOLARSHIP CREDIT.—For pur-
 11 poses of the Hope Scholarship Credit, such
 12 term shall, with respect to any academic period,
 13 include—

14 “(i) reasonable costs for such period
 15 incurred by the eligible student for room
 16 and board while attending the eligible edu-
 17 cational institution, and

18 “(ii) fees, books, supplies, and equip-
 19 ment required for such period for courses
 20 of instruction at the eligible educational in-
 21 stitution.”.

22 (b) HOPE SCHOLARSHIP CREDIT NOT REDUCED BY
 23 FEDERAL PELL GRANTS AND SUPPLEMENTAL EDU-
 24 CATIONAL OPPORTUNITY GRANTS.—Subsection (g) of sec-
 25 tion 25A of such Code (relating to special rules) is amend-
 26 ed by adding at the end the following new paragraph:

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid after December 31, 2006 (in tax years ending after such date), for education furnished in academic periods beginning after such date.

(a) CREDIT TO BE REFUNDABLE.—Section 25A of the Internal Revenue Code of 1986 (relating to Hope and Lifetime Learning credits), as amended by section 2, is hereby moved to subpart C of part IV of subchapter A

1 of chapter 1 of such Code (relating to refundable credits)
 2 and inserted after section 35.

3 (b) TECHNICAL AMENDMENTS.—

4 (1) Section 36 of the Internal Revenue Code of
 5 1986 is redesignated as section 37.

6 (2) Section 25A of such Code (as moved by
 7 subsection (a)) is redesignated as section 36.

8 (3) Paragraph (1) of section 36(a) of such Code
 9 (as redesignated by paragraph (2)) is amended by
 10 striking “this chapter” and inserting “this subtitle”.

11 (4) Subparagraph (B) of section 72(t)(7) of
 12 such Code is amended by striking “section
 13 25A(g)(2)” and inserting “section 36(g)(2)”.

14 (5) Subparagraph (A) of section 135(d)(2) of
 15 such Code is amended by striking “section 25A” and
 16 inserting “section 36”.

17 (6) Section 221(d) of such Code is amended—

18 (A) by striking “section 25A(g)(2)” in
 19 paragraph (2)(B) and inserting “section
 20 36(g)(2)”,

21 (B) by striking “section 25A(f)(2)” in the
 22 matter following paragraph (2)(B) and insert-
 23 ing “section 36(f)(2)”, and

24 (C) by striking “section 25A(b)(3)” in
 25 paragraph (3) and inserting “section 36(b)(3)”.

1 (7) Section 222 of such Code is amended—

2 (A) by striking “section 25A” in subpara-
3 graph (A) of subsection (c)(2) and inserting
4 “section 36”,

5 (B) by striking “section 25A(f)” in sub-
6 section (d)(1) and inserting “section 36(f)”,
7 and

8 (C) by striking “section 25A(g)(2)” in sub-
9 section (d)(1) and inserting “section 36(g)(2)”.

10 (8) Section 529 of such Code is amended—

11 (A) by striking “section 25A(g)(2)” in sub-
12 clause (I) of subsection (c)(3)(B)(v) and insert-
13 ing “section 36(g)(2)”,

14 (B) by striking “section 25A” in subclause
15 (II) of subsection (c)(3)(B)(v) and inserting
16 “section 36”, and

17 (C) by striking “section 25A(b)(3)” in
18 clause (i) of subsection (e)(3)(B) and inserting
19 “section 36(b)(3)”.

20 (9) Section 530 of such Code is amended—

21 (A) by striking “section 25A(g)(2)” in sub-
22 clause (I) of subsection (d)(2)(C)(i) and insert-
23 ing “section 36(g)(2)”,

1 (B) by striking “section 25A” in subclause
 2 (II) of subsection (d)(2)(C)(i) and inserting
 3 “section 36”, and

4 (C) by striking “section 25A(g)(2)” in
 5 clause (iii) of subsection (d)(4)(B) and inserting
 6 “section 36(g)(2)”.

7 (10) Subsection (e) of section 6050S of such
 8 Code is amended by striking “section 25A” and in-
 9 serting “section 36”.

10 (11) Subparagraph (J) of section 6213(g)(2) of
 11 such Code is amended by striking “section
 12 25A(g)(1)” and inserting “section 36(g)(1)”.

13 (12) Paragraph (2) of section 1324(b) of title
 14 31, United States Code, is amended by inserting be-
 15 fore the period “or from section 36 of such Code”.

16 (13) The table of sections for subpart C of part
 17 IV of subchapter A of chapter 1 of the Internal Rev-
 18 enue Code of 1986 is amended by striking the item
 19 relating to section 36 and inserting the following:

“Sec. 36. Hope and Lifetime Learning credits.
 “Sec. 37. Overpayments of tax.”.

20 (14) The table of sections for subpart A of such
 21 part IV is amended by striking the item relating to
 22 section 25A.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years beginning after
3 December 31, 2006.

