

111TH CONGRESS
1ST SESSION

S. 781

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

IN THE SENATE OF THE UNITED STATES

APRIL 2, 2009

Mr. ROBERTS (for himself, Mr. VITTER, Mrs. HUTCHISON, Mr. WICKER, Mr. BAYH, Mr. LUGAR, Mr. CHAMBLISS, Mr. CARDIN, Mr. ISAKSON, Mr. BURR, and Ms. LANDRIEU) 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 2009”.

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 (relating to exemption from tax on cor-
 6 porations, certain trusts, etc.) is amended by redesignig-
 7 nating subsection (r) as subsection (s) and by inserting
 8 after subsection (q) the following new subsection:

9 “(r) TREATMENT OF ORGANIZATIONS MAKING COL-
 10 LEGIATE HOUSING AND INFRASTRUCTURE IMPROVEMENT
 11 GRANTS.—

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

21 “(2) HOUSING AND INFRASTRUCTURE
 22 GRANTS.—For purposes of paragraph (1), collegiate
 23 housing and infrastructure grants are grants to pro-
 24 vide, improve, operate, or maintain collegiate hous-
 25 ing property that may involve more than incidental
 26 social, recreational, or private purposes, so long as

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

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

17 “(4) GRANTS TO CERTAIN ORGANIZATIONS
 18 HOLDING TITLE TO PROPERTY, ETC.—For purposes
 19 of this subsection, a collegiate housing and infra-
 20 structure grant to an organization described in sub-
 21 section (c)(2) or (c)(7) holding title to property ex-
 22 clusively for the benefit of an organization described
 23 in subsection (c)(7) shall be considered a grant to
 24 the organization described in subsection (c)(7) for
 25 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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