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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.**

To amend title 49, United States Code, to include affordable housing incentives in certain capital investment grants, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 49, United States Code, to include affordable housing incentives in certain capital investment grants, and for other purposes.

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 “Build More Housing  
5 Near Transit Act of 2021”.

1 **SEC. 2. AFFORDABLE HOUSING INCENTIVES IN CAPITAL IN-**  
2 **VESTMENT GRANTS.**

3 Section 5309 of title 49, United States Code, is  
4 amended—

5 (1) in subsection (g)—

6 (A) in paragraph (2)(B)—

7 (i) in clause (i) by striking “; and”  
8 and inserting a semicolon;

9 (ii) in clause (ii) by striking the pe-  
10 riod and inserting “; and”; and

11 (iii) by adding at the end the fol-  
12 lowing:

13 “(iii) allow a weighting of up to five  
14 percentage points greater to the criteria re-  
15 lating to economic development under sub-  
16 section (d)(2)(A)(iii) or (e)(2)(A)(iv), as  
17 applicable, and up to five percentage points  
18 lesser to the lowest scoring criteria under  
19 either such subsection, if the applicant  
20 demonstrates substantial effort to preserve  
21 or encourage affordable housing near the  
22 project by—

23 “(I) providing documentation of  
24 policies that allow for the approval of  
25 multi-family housing, single room oc-  
26 cupancy units, and accessory dwelling

1 units without a discretionary review  
2 process;

3 “(II) providing local capital  
4 sources for transit-oriented develop-  
5 ment; or

6 “(III) other methods, as deter-  
7 mined appropriate by the Secretary.”;

8 (B) in paragraph (3)—

9 (i) in subparagraph (C) by striking  
10 “and” at the end;

11 (ii) by redesignating subparagraph  
12 (D) as subparagraph (E); and

13 (iii) by inserting after subparagraph  
14 (C) the following:

15 “(D) in the case of a warrant that applies  
16 to the criteria relating to economic development  
17 under subsection (d)(2)(A)(iii) or (e)(2)(A)(iv),  
18 the applicant that requests the use of such war-  
19 rant has completed and submitted a housing  
20 feasibility assessment; and”;

21 (C) by adding at the end the following:

22 “(8) DEFINITION.—In this subsection, the term  
23 ‘housing feasibility assessment’ means an analysis of  
24 the physical, legal, and financial viability of devel-

1       oping additional housing along a project corridor.”;

2       and

3               (2) in subsection (l)(4)—

4                       (A) in subparagraph (B) by striking “; or”  
5                       and inserting a semicolon;

6                       (B) in subparagraph (C) by striking the  
7                       period at the end and inserting “; or”; and

8                       (C) by adding at the end the following:

9                       “(D) from grant proceeds distributed  
10                      under section 103 of the Housing and Commu-  
11                      nity Development Act of 1974 (42 U.S.C.  
12                      5303) or section 201 of the Public Works and  
13                      Economic Development Act of 1965 (42 U.S.C.  
14                      3141), except that—

15                      “(i) such proceeds are used in con-  
16                      junction with the planning or development  
17                      of affordable housing; and

18                      “(ii) such affordable housing is lo-  
19                      cated within one-half of a mile of a new  
20                      defined station.”.