

Union Calendar No. 35

114TH CONGRESS
1ST SESSION

H. R. 685

[Report No. 114-54]

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2015

Mr. HUIZENGA of Michigan (for himself, Mr. MEEKS, Mr. ROYCE, Mr. DAVID SCOTT of Georgia, Mr. JOYCE, Mr. STIVERS, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. MURPHY of Florida, Ms. MCCOLLUM, and Mr. FINCHER) introduced the following bill; which was referred to the Committee on Financial Services

APRIL 6, 2015

Additional sponsors: Mr. PAULSEN, Mr. ROTHFUS, Mr. DUFFY, Mr. VIS-CLOSKY, Mr. WALBERG, Mr. KLINE, Mr. FORBES, Mr. PITTENGER, Mr. BLUM, Mr. BENISHEK, Mr. GUTHRIE, Mr. ROSS, Mr. MULVANEY, Mr. SCHOCK, Mrs. WAGNER, Mr. KING of New York, Mr. BYRNE, Mr. WILLIAMS, Mr. HANNA, Mr. MCHENRY, Mr. SENSENBRENNER, Mr. TIPTON, Mr. BROOKS of Alabama, Mr. CARTER of Georgia, Mr. CLEAVER, Mr. TROTT, Mr. FITZPATRICK, and Mr. COSTELLO of Pennsylvania

APRIL 6, 2015

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 2015”.

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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