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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To incentivize States not to enact costly, burdensome, and unreasonable
energy code housing policies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CRANK introduced the following bill; which was referred to the Committee
on _____

A BILL

To incentivize States not to enact costly, burdensome, and
unreasonable energy code housing policies, 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 “Freeing Residential
5 Affordable Markets from Excess Regulation Act” or the
6 “FRAMER Act”.

1 **SEC. 2. ENERGY CODES IN OPPORTUNITY ZONES.**

2 (a) IN GENERAL.—Section 104 of the Housing and
3 Community Development Act of 1974 (42 U.S.C. 5304)
4 is amended by adding at the end the following:

5 “(n) ENERGY CODES IN OPPORTUNITY ZONES.—

6 “(1) IN GENERAL.—To be eligible to receive
7 amounts under this title on or after the date that is
8 90 days after the date of the enactment of this sub-
9 section, a State shall provide to each person who
10 built a covered dwelling unit in an opportunity zone
11 that is located in the jurisdiction of such entity, not
12 later than 30 days after such dwelling unit has been
13 inspected and certified for occupancy, a payment in
14 the amount equal to the difference, determined by
15 the Secretary of Housing and Urban Development,
16 between—

17 “(A) the cost of implementing the energy
18 housing code of the State with respect to such
19 covered dwelling unit, including costs associated
20 with labor, supplies, wages of employees, inspec-
21 tion costs, or any other cost realized by the per-
22 son who built a covered dwelling unit; and

23 “(B) the cost of implementing the Depart-
24 ment of Housing and Urban Development’s
25 Minimum Energy Standard with respect to
26 such covered dwelling unit, regardless of wheth-

1 er such covered dwelling is subject to such
2 standard.

3 “(2) EXCEPTION.—Paragraph (1) shall not
4 apply if the energy housing code of the State has a
5 lower cost than the Department of Housing and
6 Urban Development’s Minimum Energy Standard.

7 “(3) DISCLOSURE REQUIREMENT.—A person
8 who built a covered dwelling unit in an opportunity
9 zone and who has received or may in the future re-
10 ceive a reimbursement for building costs incurred
11 shall provide to the person who first buys the cov-
12 ered dwelling unit, using a procedure and form es-
13 tablished by the Secretary, a disclosure document
14 that, based on information reasonably available at
15 the time such disclosure is made,—

16 “(A) identifies the difference between the
17 cost of implementing the energy housing code of
18 the State with respect to such covered dwelling
19 unit and the cost of implementing the Depart-
20 ment of Housing and Urban Development’s
21 Minimum Energy Standard with respect to
22 such covered dwelling unit;

23 “(B) identifies any amount that such per-
24 son who built a covered dwelling unit has re-
25 ceived or expects to receive from the a State

1 under this section and any portion of such
2 amount that was used by such person to reduce
3 the price of the covered dwelling unit.

4 “(4) DEFINITIONS.—In this subsection:

5 “(A) COVERED DWELLING UNIT.—The
6 term ‘covered dwelling unit’ means a ‘residen-
7 tial building’ such as term is defined in section
8 6832 of title 42, Code of Federal Regulations.

9 “(B) OPPORTUNITY ZONE.—The term ‘op-
10 portunity zone’ has the meaning given the term
11 in section 1400Z-2 of title 26, United States
12 Code.”.

13 (b) REPORT.—The Comptroller General of the
14 United States shall, each year until the date described in
15 subsection (c), submit a report to the Congress that, to
16 the degree practicable—

17 (1) lists the States that were required under
18 Section 104(n) of the Housing and Community De-
19 velopment Act of 1974 to provide payments to per-
20 sons who built dwelling units;

21 (2) the amount of each such payment, broken
22 out by metropolitan city, urban county, State, unit
23 of general local government, and insular area;

24 (3) the total amount of all such payments, bro-
25 ken out by metropolitan city, urban county, State,

1 unit of general local government, and insular area;
2 and

3 (4) the amount of the difference between the
4 State codes and Department of Housing and Urban
5 Development's Minimum Energy Standard by metro-
6 politan city, urban county, State, unit of general
7 local government, and insular area.

8 (c) SUNSET.—Section 104(n) of the Housing and
9 Community Development Act of 1974, as added by this
10 section, shall be repealed on the date that is 7 years after
11 the date of the enactment of this section.