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(Original Signature of Member)

112TH CONGRESS
1ST SESSION

H. R. _____

To amend title 28 of the United States Code with respect to proper venue for cases filed by corporations under chapter 11 of title 11 of such Code.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Texas (for himself and _____) introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 28 of the United States Code with respect to proper venue for cases filed by corporations under chapter 11 of title 11 of such Code.

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 “Chapter 11 Bank-

5 ruptcy Venue Reform Act of 2011”.

6 **SEC. 2. AMENDMENTS.**

7 Section 1408 of title 28 of the United States Code

8 is amended—

1 (1) by inserting “(a)” before “Except”,

2 (2) by inserting “and subsection (b) of this sec-
3 tion” after “this title”, and

4 (3) by adding at the end the following:

5 “(b) A case under chapter 11 of title 11 in which
6 the person that is the subject of the case is a corporation
7 may be commenced only in the district court for the dis-
8 trict—

9 “(1) in which the principal place of business in
10 the United States, or principal assets in the United
11 States, of such corporation have been located for 1
12 year immediately preceding such commencement, or
13 for a longer portion of such 1-year period than the
14 principal place of business in the United States, or
15 principal assets in the United States, of such cor-
16 poration were located in any other district; or

17 “(2) in which there is pending a case under
18 chapter 11 of title 11 concerning an affiliate of such
19 corporation, if the affiliate in such pending case di-
20 rectly or indirectly owns, controls, or holds with
21 power to vote more than 50 percent of the out-
22 standing voting securities of such corporation.”.

23 **SEC. 3. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

24 (a) EFFECTIVE DATE.—Except as provided in sub-
25 section (b), this Act and the amendments made by this

1 Act shall take effect on the date of the enactment of this
2 Act.

3 (b) APPLICATION OF AMENDMENTS.—The amend-
4 ments made by this Act shall apply only with respect to
5 cases commenced under title 11 of the United States Code
6 on or after the date of the enactment of this Act.