

115TH CONGRESS
1ST SESSION

H. R. 2266

IN THE SENATE OF THE UNITED STATES

MAY 18, 2017

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bankruptcy Judgeship
3 Act of 2017”.

4 **SEC. 2. CONVERSION OF THE TEMPORARY OFFICE OF**
5 **BANKRUPTCY JUDGE TO THE PERMANENT**
6 **OFFICE OF BANKRUPTCY JUDGE IN CERTAIN**
7 **JUDICIAL DISTRICTS.**

8 (a) DISTRICT OF DELAWARE.—

9 (1) The temporary office of four bankruptcy
10 judges authorized for the district of Delaware by
11 section 1223(b)(1)(C) of Public Law 109–8 (119
12 Stat. 197; 28 U.S.C. 152 note), and extended by
13 section 2(a)(1)(C) of Public Law 112–121 (126
14 Stat. 346; 28 U.S.C. 152 note), is converted hereby
15 to the permanent office of bankruptcy judge and
16 represented in the amendment made by section 3(1)
17 of this Act, and may be filled.

18 (2) The temporary office of bankruptcy judge
19 authorized for the district of Delaware by section
20 3(a)(3) of Public Law 102–361 (106 Stat. 966; 28
21 U.S.C. 152 note), and extended by section
22 1223(e)(1) of Public Law 109–8 (119 Stat. 198; 28
23 U.S.C. 152 note) and section 2(b)(1) of Public Law
24 112–121 (126 Stat. 347; 28 U.S.C. 152 note), is
25 converted hereby to the permanent office of bank-

1 ruptcy judge and represented in the amendment
2 made by section 3(1) of this Act, and may be filled.

3 (b) SOUTHERN DISTRICT OF FLORIDA.—The tem-
4 porary office of two bankruptcy judges authorized for the
5 southern district of Florida by section 1223(b)(1)(D) of
6 Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note),
7 and extended by section 2(a)(1)(D) of Public Law 112–
8 121 (126 Stat. 346; 28 U.S.C. 152 note), is converted
9 hereby to the permanent office of bankruptcy judge and
10 represented in the amendment made by section 3(3) of
11 this Act, and may be filled.

12 (c) DISTRICT OF MARYLAND.—The temporary office
13 of one bankruptcy judge first appointed as authorized for
14 the district of Maryland by section 1223(b)(1)(F) of Pub-
15 lic Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and
16 extended by section 2(a)(1)(F) of Public Law 112–121
17 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby
18 to the permanent office of bankruptcy judge and rep-
19 resented in the amendment made by section 3(4) of this
20 Act, and may be filled.

21 (d) EASTERN DISTRICT OF MICHIGAN.—The tem-
22 porary office of bankruptcy judge authorized for the east-
23 ern district of Michigan by section 1223(b)(1)(G) of Pub-
24 lic Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and
25 extended by section 2(a)(1)(G) of Public Law 112–121

1 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby
2 to the permanent office of bankruptcy judge and rep-
3 resented in the amendment made by section 3(5) of this
4 Act, and may be filled.

5 (e) DISTRICT OF NEVADA.—The temporary office of
6 bankruptcy judge authorized for the district of Nevada by
7 section 1223(b)(1)(T) of Public Law 109–8 (119 Stat.
8 197; 28 U.S.C. 152 note), and extended by section
9 2(a)(1)(Q) of Public Law 112–121 (126 Stat. 346; 28
10 U.S.C. 152 note), is converted hereby to the permanent
11 office of bankruptcy judge and represented in the amend-
12 ment made by section 3(6) of this Act, and may be filled.

13 (f) EASTERN DISTRICT OF NORTH CAROLINA.—The
14 temporary office of bankruptcy judge authorized for the
15 eastern district of North Carolina by section
16 1223(b)(1)(M) of Public Law 109–8 (119 Stat. 197; 28
17 U.S.C. 152 note), and extended by section 2(a)(1)(J) of
18 Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note),
19 is converted hereby to the permanent office of bankruptcy
20 judge and represented in the amendment made by section
21 3(7) of this Act, and may be filled.

22 (g) DISTRICT OF PUERTO RICO.—

23 (1) The temporary office of bankruptcy judge
24 authorized for the district of Puerto Rico by section
25 1223(b)(1)(P) of Public Law 109–8 (119 Stat. 197;

1 28 U.S.C. 152 note), and extended by section
2 2(a)(1)(M) of Public Law 112–121 (126 Stat. 346;
3 28 U.S.C. 152 note), is converted hereby to the per-
4 manent office of bankruptcy judge and represented
5 in the amendment made by section 3(8) of this Act,
6 and may be filled.

7 (2) The temporary office of bankruptcy judge
8 authorized for the district of Puerto Rico by section
9 3(a)(7) of Public Law 102–361 (106 Stat. 966; 28
10 U.S.C. 152 note), and extended by section
11 1223(c)(1) of Public Law 109–8 (119 Stat. 198; 28
12 U.S.C. 152 note) and section 2(b)(1) of Public Law
13 112–121 (126 Stat. 347; 28 U.S.C. 152 note), is
14 converted hereby to the permanent office of bank-
15 ruptcy judge and is represented in the amendment
16 made by section 3(8) of this Act, and may be filled.

17 (h) EASTERN DISTRICT OF VIRGINIA.—The tem-
18 porary office of bankruptcy judge authorized for the east-
19 ern district of Virginia by section 1223(b)(1)(R) of Public
20 Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and ex-
21 tended by section 2(a)(1)(P) of Public Law 112–121 (126
22 Stat. 346; 28 U.S.C. 152 note), is converted hereby to
23 the permanent office of bankruptcy judge and is rep-
24 resented in the amendment made by section 3(9) of this
25 Act, and may be filled.

1 **SEC. 3. PERMANENT OFFICE OF BANKRUPTCY JUDGE AU-**
2 **THORIZED.**

3 To reflect the conversion of the temporary office of
4 bankruptcy judge to the permanent office of bankruptcy
5 judge made by the operation of section 2, and to authorize
6 the appointment of additional bankruptcy judges, section
7 152(a)(2) of title 28 of the United States Code is amend-
8 ed—

9 (1) in the item relating to the district of Dela-
10 ware by striking “1” and inserting “8”;

11 (2) in the item relating to the middle district of
12 Florida by striking “8” and inserting “9”;

13 (3) in the item relating to the southern district
14 of Florida by striking “5” and inserting “7”;

15 (4) in the item relating to the district of Mary-
16 land by striking “4” and inserting “5”;

17 (5) in the item relating to the eastern district
18 of Michigan by striking “4” and inserting “6”;

19 (6) in the item relating to the district of Ne-
20 vada by striking “3” and inserting “4”;

21 (7) in the item relating to the eastern district
22 of North Carolina by striking “2” and inserting “3”;

23 (8) in the item relating to the district of Puerto
24 Rico by striking “2” and inserting “4”; and

25 (9) in the item relating to the eastern district
26 of Virginia by striking “5” and inserting “6”.

1 **SEC. 4. BANKRUPTCY FEES.**

2 (a) AMENDMENTS TO TITLE 28 OF THE UNITED
3 STATES CODE.—Section 1930(a)(6) of title 28 of the
4 United States Code is amended—

5 (1) by striking “(6) In” and inserting “(6)(A)
6 Except as provided in subparagraph (B), in”; and

7 (2) by adding at the end the following:

8 “(B) In any fiscal year, the quarterly fee pay-
9 able for a quarter in which disbursements equal or
10 exceed \$1,000,000 shall be 1 percent of such dis-
11 bursements or \$250,000, whichever is less, unless
12 the balance in the United States Trustee System
13 Fund as of September 30 immediately preceding
14 such fiscal year exceeds \$200,000,000.”.

15 (b) DEPOSITS OF CERTAIN FEES FOR FISCAL YEARS
16 2018 THROUGH 2022.—Notwithstanding section 589a(b)
17 of title 28 of the United States Code, for each of the fiscal
18 years 2018 through 2022—

19 (1) 97.5 percent of the fees collected under sec-
20 tion 1930(a)(6) of such title shall be deposited as
21 offsetting collections to the appropriation “United
22 States Trustee System Fund”, to remain available
23 until expended; and

24 (2) 2.5 percent of the fees collected under sec-
25 tion 1930(a)(6) of such title shall be deposited in
26 the general fund of the Treasury.

1 (c) EFFECTIVE DATE; APPLICATION AMEND-
2 MENTS.—

3 (1) EFFECTIVE DATE.—Except as provided in
4 paragraph (2), this section shall take effect on July
5 1, 2017, or on the date of the enactment of this Act,
6 whichever is later.

7 (2) APPLICATION OF AMENDMENTS.—The
8 amendments made by this section shall apply to
9 quarterly fees payable under section 1930(a)(6) of
10 title 28 of the United States Code, as amended by
11 this section, for disbursements made in any calendar
12 quarter that begins on or after the effective date of
13 the amendments made by this section.

Passed the House of Representatives May 17, 2017.

Attest:

KAREN L. HAAS,

Clerk.