

112TH CONGRESS  
1ST SESSION

# H. R. 2533

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.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2011

Mr. SMITH of Texas (for himself, Mr. CONYERS, Mr. COBLE, and Mr. COHEN) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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—

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

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

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

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

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

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

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

23          (a) **EFFECTIVE DATE.**—Except as provided in sub-  
24 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.

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