

115TH CONGRESS  
1ST SESSION

# H. R. 2266

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## 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:

*Clerk.*





115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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## AN ACT

To amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.