

115TH CONGRESS
1ST SESSION

H. R. 2266

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

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2017

Mr. CONYERS (for himself, Mr. GOODLATTE, Mr. MARINO, and Mr. CICILLINE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bankruptcy Judgeship
5 Act of 2017”.

1 **SEC. 2. CONVERSION OF THE TEMPORARY OFFICE OF**
2 **BANKRUPTCY JUDGE TO THE PERMANENT**
3 **OFFICE OF BANKRUPTCY JUDGE IN CERTAIN**
4 **JUDICIAL DISTRICTS.**

5 (a) DISTRICT OF DELAWARE.—

6 (1) The temporary office of 4 bankruptcy
7 judges authorized for the district of Delaware by
8 section 1223(b)(1)(C) of Public Law 109–8 (119
9 Stat. 196; 28 U.S.C. 152 note), and extended by
10 section 2(a)(1)(C) of Public Law 112–121 (126
11 Stat. 346; 28 U.S.C. 152 note), is converted hereby
12 to the permanent office of bankruptcy judge and
13 represented in the amendment made by section 3(1)
14 of this Act.

15 (2) The temporary office of bankruptcy judge
16 authorized for the district of Delaware by section
17 3(a)(3) of Public Law 102–361 (106 Stat. 966; 28
18 U.S.C. 152 note), and extended by section
19 1223(e)(1) of Public Law 109–8 (119 Stat. 198; 28
20 U.S.C. 152 note) and section 2(b)(1) of Public Law
21 112–121 (126 Stat. 347; 28 U.S.C. 152 note), is
22 converted hereby to the permanent office of bank-
23 ruptcy judge and represented in the amendment
24 made by section 3(1) of this Act.

25 (b) SOUTHERN DISTRICT OF FLORIDA.—The tem-
26 porary office of 2 bankruptcy judges authorized for the

1 southern district of Florida by section 1223(b)(1)(D) of
2 Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note),
3 and extended by section 2(a)(1)(D) of Public Law 112–
4 121 (126 Stat. 346; 28 U.S.C. 152 note), is converted
5 hereby to the permanent offices of bankruptcy judges and
6 represented in the amendment made by section 3(3) of
7 this Act.

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

17 (d) EASTERN DISTRICT OF MICHIGAN.—The tem-
18 porary office of bankruptcy judge authorized for the east-
19 ern district of Michigan by section 1223(b)(1)(G) of Pub-
20 lic Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and
21 extended by section 2(a)(1)(G) of Public Law 112–121
22 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby
23 to the permanent office of bankruptcy judge and rep-
24 resented in the amendment made by section 3(5) of this
25 Act.

1 (e) DISTRICT OF NEVADA.—The temporary office of
2 bankruptcy judge authorized for the district of Nevada by
3 section 1223(b)(1)(T) of Public Law 109–8 (119 Stat.
4 197; 28 U.S.C. 152 note), and extended by section
5 2(a)(1)(Q) of Public Law 112–121 (126 Stat. 346; 28
6 U.S.C. 152 note), is converted hereby to the permanent
7 office of bankruptcy judge and represented in the amend-
8 ment made by section 3(6) of this Act.

9 (f) EASTERN DISTRICT OF NORTH CAROLINA.—The
10 temporary office of bankruptcy judge authorized for the
11 eastern district of North Carolina by section
12 1223(b)(1)(M) of Public Law 109–8 (119 Stat. 197; 28
13 U.S.C. 152 note), and extended by section 2(a)(1)(J) of
14 Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note),
15 is converted hereby to the permanent office of bankruptcy
16 judge and represented in the amendment made by section
17 3(7) of this Act.

18 (g) DISTRICT OF PUERTO RICO.—

19 (1) The temporary office of bankruptcy judge
20 authorized for the district of Puerto Rico by section
21 1223(b)(1)(P) of Public Law 109–8 (119 Stat. 197;
22 28 U.S.C. 152 note), and extended by section
23 2(a)(1)(M) of Public Law 112–121 (126 Stat. 346;
24 28 U.S.C. 152 note), is converted hereby to the per-

1 manent office of bankruptcy judge and represented
2 in the amendment made by section 3(8) of this Act.

3 (2) The temporary office of bankruptcy judge
4 authorized for the district of Puerto Rico by section
5 3(a)(7) of Public Law 102–361 (106 Stat. 966; 28
6 U.S.C. 152 note), and extended by section
7 1223(c)(1) of Public Law 109–8 (119 Stat. 198; 28
8 U.S.C. 152 note) and section 2(b)(1) of Public Law
9 112–121 (126 Stat. 347; 28 U.S.C. 152 note), is
10 converted hereby to the permanent office of bank-
11 ruptcy judge and is represented in the amendment
12 made by section 3(8) of this Act.

13 (h) EASTERN DISTRICT OF VIRGINIA.—The tem-
14 porary office of bankruptcy judge authorized for the east-
15 ern district of Virginia by section 1223(b)(1)(R) of Public
16 Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and ex-
17 tended by section 2(a)(1)(P) of Public Law 112–121 (126
18 Stat. 346; 28 U.S.C. 152 note), is converted hereby to
19 the permanent office of bankruptcy judge and is rep-
20 resented in the amendment made by section 3(10) of this
21 Act.

22 **SEC. 3. PERMANENT OFFICE OF BANKRUPTCY JUDGE AU-**
23 **THORIZED.**

24 To reflect the conversion of the temporary office of
25 bankruptcy judge to the permanent office of bankruptcy

1 judge made by the operation of section 2, and to authorize
2 the appointment of additional bankruptcy judges, section
3 152(a)(2) of title 28 of the United States Code is amend-
4 ed—

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

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

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

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

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

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

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

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

21 (9) in the item relating to the eastern district
22 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) The quarterly fee payable for a quarter in
9 which disbursements equal or exceed \$1,000,000
10 shall be 1 percent of such disbursements or
11 \$250,000, whichever is less, in a fiscal year unless
12 the balance in the United States Trustee System
13 Fund as of September 30 preceding such fiscal year
14 exceeds \$200,000,000.”.

15 (b) EFFECTIVE DATE; APPLICATION AMEND-
16 MENTS.—

17 (1) EFFECTIVE DATE.—Except as provided in
18 paragraph (2), this section shall take effect on July
19 1, 2017, or on the date of the enactment of this Act,
20 whichever is later.

21 (2) APPLICATION OF AMENDMENTS.—The
22 amendments made by this section shall apply quar-
23 terly fees payable under section 1930(a)(6) of title
24 28 of the United States Code, as amended by this
25 section, for disbursements made for any quarter that

- 1 begins on or after the effective date of the amend-
- 2 ments made by this section.

