

103D CONGRESS
1ST SESSION

H. R. 2058

To amend title 11 of the United States Code with respect to the distribution of securities under a plan under chapter 11 of such title.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1993

Mr. BERMAN introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 11 of the United States Code with respect to the distribution of securities under a plan under chapter 11 of such title.

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. AMENDMENTS.**

4 Section 1143 of title 11, United States Code, is
5 amended—

6 (1) by inserting “(a)” before “If”, and

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

8 “(b) Notwithstanding any nonbankruptcy law, if a
9 plan requires the distribution of a security with respect
10 to an allowed claim, then the fair market value of such

1 security shall be conclusively presumed to be equal to the
2 amount of such claim for purposes of any law (other than
3 sections 1124 and 1129) applicable to the debtor or the
4 estate.”.

5 **SEC. 2. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

6 (a) EFFECTIVE DATE.—Except as provided in sub-
7 section (b), this Act and the amendments made by section
8 1 shall take effect on the date of the enactment of this
9 Act.

10 (b) APPLICATION OF AMENDMENTS.—The amend-
11 ments made by section 1 shall not apply with respect to
12 cases commenced under title 11 of the United States Code
13 before the date of the enactment of this Act.

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