

103D CONGRESS
1ST SESSION

S. 330

To amend section 101 of title 11, United States Code, relating to eligibility to serve on chapter 11 committees.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4 (legislative day, JANUARY 5), 1993

Mr. KOHL introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 101 of title 11, United States Code, relating to eligibility to serve on chapter 11 committees.

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. DEFINITION RELATING TO ELIGIBILITY TO**
4 **SERVE ON CHAPTER 11 COMMITTEES.**

5 Section 101(41) of title 11, United States Code, is
6 amended to read as follows:

7 “(41) ‘person’ includes individual, partnership,
8 and corporation, but does not include governmental
9 unit, except that a governmental unit that—

10 “(A) acquires an asset from a person—

1 “(i) as a result of the operation of a
2 loan guarantee agreement; or

3 “(ii) as receiver or liquidating agent
4 of a person;

5 “(B) is a guarantor of a pension benefit
6 payable by or on behalf of the debtor or an af-
7 filiate of the debtor; or

8 “(C) is the legal or beneficial owner of an
9 asset of—

10 “(i) an employee pension benefit plan
11 that is a governmental plan, as defined in
12 section 414(d) of the Internal Revenue
13 Code of 1986; or

14 “(ii) an eligible deferred compensation
15 plan, as defined in section 457(b) of the
16 Internal Revenue Code of 1986;

17 shall be considered for purposes of section 1102 to
18 be a person with respect to such asset or such bene-
19 fit;”.

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