

106TH CONGRESS
2D SESSION

H. R. 5530

To extend for 1 additional year the period for which chapter 12 of title 11 of the United States Code is reenacted; to provide for additional temporary bankruptcy judges; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 24, 2000

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

A BILL

To extend for 1 additional year the period for which chapter 12 of title 11 of the United States Code is reenacted; to provide for additional temporary 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 “Chapter 12 Extension
5 and Bankruptcy Judgeship Act of 2000”.

1 **SEC. 2. EXTENSION OF CHAPTER 12 OF TITLE 11 OF THE**
2 **UNITED STATES CODE.**

3 (a) AMENDMENTS.—Section 149 of title I of division
4 C of Public Law 105–277, as amended by Public Law
5 106–5 and Public Law 106–70, is amended—

6 (1) by striking “July 1, 2000” each place it ap-
7 pears and inserting “July 1, 2001”; and

8 (2) in subsection (a)—

9 (A) by striking “September 30, 1999” and
10 inserting “June 30, 2000”; and

11 (B) by striking “October 1, 1999” and in-
12 serting “July 1, 2000”.

13 (b) EFFECTIVE DATE.—

14 The amendments made by subsection (a) shall take
15 effect on July 1, 2000.

16 **SEC. 3. BANKRUPTCY JUDGESHIPS.**

17 (a) TEMPORARY JUDGESHIPS.—

18 (1) APPOINTMENTS.—The following bankruptcy
19 judges shall be appointed in the manner prescribed
20 in section 152(a)(1) of title 28, United States Code,
21 for the appointment of bankruptcy judges provided
22 for in section 152(a)(2) of such title:

23 (A) One additional bankruptcy judge for
24 the eastern district of California.

25 (B) Four additional bankruptcy judges for
26 the central district of California.

1 (C) One additional bankruptcy judge for
2 the district of Delaware.

3 (D) Two additional bankruptcy judges for
4 the southern district of Florida.

5 (E) One additional bankruptcy judge for
6 the southern district of Georgia.

7 (F) Two additional bankruptcy judges for
8 the district of Maryland.

9 (G) One additional bankruptcy judge for
10 the eastern district of Michigan.

11 (H) One additional bankruptcy judge for
12 the southern district of Mississippi.

13 (I) One additional bankruptcy judge for
14 the district of New Jersey.

15 (J) One additional bankruptcy judge for
16 the eastern district of New York.

17 (K) One additional bankruptcy judge for
18 the northern district of New York.

19 (L) One additional bankruptcy judge for
20 the southern district of New York.

21 (M) One additional bankruptcy judge for
22 the eastern district of North Carolina.

23 (N) One additional bankruptcy judge for
24 the eastern district of Pennsylvania.

1 (O) One additional bankruptcy judge for
2 the middle district of Pennsylvania.

3 (P) One additional bankruptcy judge for
4 the district of Puerto Rico.

5 (Q) One additional bankruptcy judge for
6 the western district of Tennessee.

7 (R) One additional bankruptcy judge for
8 the eastern district of Virginia.

9 (2) VACANCIES.—The first vacancy occurring in
10 the office of a bankruptcy judge in each of the judi-
11 cial districts set forth in paragraph (1) shall not be
12 filled if the vacancy—

13 (A) results from the death, retirement, res-
14 ignation, or removal of a bankruptcy judge; and

15 (B) occurs 5 years or more after the ap-
16 pointment date of a bankruptcy judge ap-
17 pointed under paragraph (1).

18 (b) EXTENSIONS.—

19 (1) IN GENERAL.—The temporary office of
20 bankruptcy judges authorized for the northern dis-
21 trict of Alabama, the district of Delaware, the dis-
22 trict of Puerto Rico, the district of South Carolina,
23 and the eastern district of Tennessee under para-
24 graphs (1), (3), (7), (8), and (9) of section 3(a) of
25 the Bankruptcy Judgeship Act of 1992 (28 U.S.C.

1 152 note) are extended until the first vacancy occur-
2 ring in the office of a bankruptcy judge in the appli-
3 cable district resulting from the death, retirement,
4 resignation, or removal of a bankruptcy judge and
5 occurring—

6 (A) 8 years or more after November 8,
7 1993, with respect to the northern district of
8 Alabama;

9 (B) 10 years or more after October 28,
10 1993, with respect to the district of Delaware;

11 (C) 8 years or more after August 29,
12 1994, with respect to the district of Puerto
13 Rico;

14 (D) 8 years or more after June 27, 1994,
15 with respect to the district of South Carolina;
16 and

17 (E) 8 years or more after November 23,
18 1993, with respect to the eastern district of
19 Tennessee.

20 (2) APPLICABILITY OF OTHER PROVISIONS.—

21 Except as provided in paragraph (1), section 3 of
22 the Bankruptcy Judgeship Act of 1992 (28 U.S.C.
23 152 note) shall continue to apply to the temporary
24 office of bankruptcy judges referred to in such para-
25 graph.

1 (c) TECHNICAL AMENDMENTS.—Section 152(a) of
2 title 28, United States Code, is amended—

3 (1) in paragraph (1) by striking the first sen-
4 tence and inserting the following:

5 “Each bankruptcy judge authorized to be appointed
6 for a judicial district as provided in paragraph (2) shall
7 be appointed by the United States court of appeals for
8 the circuit in which such district is located.”; and

9 (2) in paragraph (2)—

10 (A) in the item relating to the middle dis-
11 trict of Georgia, by striking “2” and inserting
12 “3”; and

13 (B) in the collective item relating to the
14 middle and southern districts of Georgia, by
15 striking “Middle and Southern 1”.

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