

# 1           **TITLE VIII—BANKRUPTCY**

## 2   **SEC. 801. SMALL BUSINESS DEBTOR REORGANIZATION.**

3           (a) IN GENERAL.—Section 1182(1) of title 11,  
4 United States Code, is amended to read as follows:

5                   “(1) DEBTOR.—The term ‘debtor’—

6                           “(A) subject to subparagraph (B), means a  
7 person engaged in commercial or business ac-  
8 tivities (including any affiliate of such person  
9 that is also a debtor under this title and exclud-  
10 ing a person whose primary activity is the busi-  
11 ness of owning single asset real estate) that has  
12 aggregate noncontingent liquidated secured and  
13 unsecured debts as of the date of the filing of  
14 the petition or the date of the order for relief  
15 in an amount not more than \$7,500,000 (ex-  
16 cluding debts owed to 1 or more affiliates or in-  
17 siders) not less than 50 percent of which arose  
18 from the commercial or business activities of  
19 the debtor; and

20                           “(B) does not include—

21                                   “(i) any member of a group of affili-  
22 ated debtors that has aggregate noncontin-  
23 gent liquidated secured and unsecured

1 debts in an amount greater than  
2 \$7,500,000 (excluding debt owed to 1 or  
3 more affiliates or insiders);

4 “(ii) any debtor that is a corporation  
5 subject to the reporting requirements  
6 under section 13 or 15(d) of the Securities  
7 Exchange Act of 1934 (15 U.S.C. 78m,  
8 78o(d)); or

9 “(iii) any debtor that is an affiliate of  
10 an issuer, as defined in section 3 of the Se-  
11 curities Exchange Act of 1934 (15 U.S.C.  
12 78c).”.

13 (b) APPLICABILITY OF CHAPTERS.—Section 103(i) of  
14 title 11, United States Code, is amended by striking  
15 “small business debtor” and inserting “debtor (as defined  
16 in section 1182)”.

17 (c) APPLICATION OF AMENDMENT.—The amendment  
18 made by subsection (a) shall apply only with respect to  
19 cases commenced under title 11, United States Code, on  
20 or after the date of enactment of this Act.

21 (d) TECHNICAL CORRECTIONS.—

22 (1) DEFINITION OF SMALL BUSINESS DEBT-  
23 OR.—Section 101(51D)(B)(iii) of title 11, United  
24 States Code, is amended to read as follows:

1 “(iii) any debtor that is an affiliate of  
2 an issuer (as defined in section 3 of the  
3 Securities Exchange Act of 1934 (15  
4 U.S.C. 78c)).”.

5 (2) UNCLAIMED PROPERTY.—Section 347(b) of  
6 title 11, United States Code, is amended by striking  
7 “1194” and inserting “1191”.

8 (e) SUNSET.—On the date that is 1 year after the  
9 date of enactment of this Act, section 1182(1) of title 11,  
10 United States Code, is amended to read as follows:

11 “(1) DEBTOR.—The term ‘debtor’ means a  
12 small business debtor.”.

13 **SEC. 802. BANKRUPTCY RELIEF.**

14 (a) IN GENERAL.—

15 (1) EXCLUSION FROM CURRENT MONTHLY IN-  
16 COME.—Section 101(10A)(B)(ii) of title 11, United  
17 States Code, is amended—

18 (A) in subclause (III), by striking “; and”  
19 and inserting a semicolon;

20 (B) in subclause (IV), by striking the pe-  
21 riod at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(V) Payments made under Fed-  
24 eral law relating to the national emer-  
25 gency declared by the President under

1 the National Emergencies Act (50  
2 U.S.C. 1601 et seq.) with respect to  
3 the coronavirus disease 2019  
4 (COVID-19).”.

5 (2) CONFIRMATION OF PLAN.—Section  
6 1325(b)(2) of title 11, United States Code, is  
7 amended by inserting “payments made under Fed-  
8 eral law relating to the national emergency declared  
9 by the President under the National Emergencies  
10 Act (50 U.S.C. 1601 et seq.) with respect to the  
11 coronavirus disease 2019 (COVID-19),” after  
12 “other than”.

13 (3) MODIFICATION OF PLAN AFTER CONFIRMA-  
14 TION.—Section 1329 of title 11, United States Code,  
15 is amended by adding at end the following:

16 “(d)(1) Subject to paragraph (3), for a plan con-  
17 firmed prior to the date of enactment of this subsection,  
18 the plan may be modified upon the request of the debtor  
19 if—

20 “(A) the debtor is experiencing or has experi-  
21 enced a material financial hardship due, directly or  
22 indirectly, to the coronavirus disease 2019 (COVID-  
23 19) pandemic; and

24 “(B) the modification is approved after notice  
25 and a hearing.

1       “(2) A plan modified under paragraph (1) may not  
2 provide for payments over a period that expires more than  
3 7 years after the time that the first payment under the  
4 original confirmed plan was due.

5       “(3) Sections 1322(a), 1322(b), 1323(c), and the re-  
6 quirements of section 1325(a) shall apply to any modifica-  
7 tion under paragraph (1).”.

8           (4) APPLICABILITY.—

9           (A) The amendments made by paragraphs  
10 (1) and (2) shall apply to any case commenced  
11 before, on, or after the date of enactment of  
12 this Act.

13           (B) The amendment made by paragraph  
14 (3) shall apply to any case for which a plan has  
15 been confirmed under section 1325 of title 11,  
16 United States Code, before the date of enact-  
17 ment of this Act.

18       (b) SUNSET.—

19           (1) IN GENERAL.—

20           (A) EXCLUSION FROM CURRENT MONTHLY  
21 INCOME.—Section 101(10A)(B)(ii) of title 11,  
22 United States Code, is amended—

23                   (i) in subclause (III), by striking the  
24 semicolon at the end and inserting “;  
25 and”;

1 (ii) in subclause (IV), by striking “;  
2 and” and inserting a period; and  
3 (iii) by striking subclause (V).

4 (B) CONFIRMATION OF PLAN.—Section  
5 1325(b)(2) of title 11, United States Code, is  
6 amended by striking “payments made under  
7 Federal law relating to the national emergency  
8 declared by the President under the National  
9 Emergencies Act (50 U.S.C. 1601 et seq.) with  
10 respect to the coronavirus disease 2019  
11 (COVID–19),”.

12 (C) MODIFICATION OF PLAN AFTER CON-  
13 FIRMATION.—Section 1329 of title 11, United  
14 States Code, is amended by striking subsection  
15 (d).

16 (2) EFFECTIVE DATE.—The amendments made  
17 by paragraph (1) shall take effect on the date that  
18 is 1 year after the date of enactment of this Act.