



**COMPARISON OF HR 2533 (2011)
WITH CLLA 2015 PROPOSAL**

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CLLA 2015 Proposal

28 U.S.C. §1408 should be amended as follows:

- (a) Except as provided in section 1410 of this title, a case under title 11 may be commenced only in the district court for the district—
 - (1) in which the domicile, residence, principal place of business in the United States, or principal assets in the United States, of the person or entity that is the subject of such case have been located for the one hundred and eighty days immediately preceding such commencement, or for a longer portion of such one-hundred-and-eighty-day period than the domicile, residence, or principal place of business, in the United States, or principal assets in the United States, of such person or entity were located in any other district; or
 - (2) in which there is already pending a case under title 11 concerning an affiliate that directly or indirectly owns controls, is the general partner, or holds 50 percent or more of the outstanding voting securities, of the person or entity that is the subject of such later filed case.
- (b) For the purpose of this Section 1408, the domicile or residence of a person or entity other than an individual shall be the district in which such person or entity has its principal place of business or principal assets in the United States.

HR 2533 (2011)

§1408. Venue of cases under title 11

- (a) Except as provided in section 1410 of this title, and subsection (b) of this section, a case under title 11 may be commenced in the district court for the district—
 - (1) in which the domicile, residence, principal place of business in the United States, or principal assets in the United States, of the person or entity that is the subject of such case have been located for the one hundred and eighty days immediately preceding such commencement, or for a longer portion of such one-hundred-and-eighty-day period than the domicile, residence, or principal place of business, in the United States, or principal assets in the United States, of such person were located in any other district; or
 - (2) in which there is pending a case under title 11 concerning such person's affiliate, general partner, or partnership.
- (b) A case under chapter 11 of title 11 in which the person that is the subject of the case is a corporation may be commenced only in the district court for the district
 - (1) in which the principal place of business in the United States, or principal assets in the United States, of such corporation have been located for 1 year immediately preceding such commencement, or for a longer portion of such 1-year period than the principal place of business in the United States, or principal assets in the United States, of such corporation were located in any other district; or
 - (2) in which there is pending a case under chapter 11 of title 11 concerning an affiliate of such corporation, if the affiliate in such pending case directly or indirectly owns, controls, or holds with power to vote more than 50 percent of the outstanding voting securities of such corporation.

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28 U.S.C. §1408 should be amended as follows:

~~§1408. Venue of cases under title 11~~

- (a) Except as provided in section 1410 of this title, ~~and subsection (b) of this section,~~ a case under title 11 may be commenced only in the district court for the district—
- (1) in which the domicile, residence, principal place of business in the United States, or principal assets in the United States, of the person or entity that is the subject of such case have been located for the one hundred and eighty days immediately preceding such commencement, or for a longer portion of such one-hundred-and-eighty-day period than the domicile, residence, or principal place of business, in the United States, or principal assets in the United States, of such person or entity were located in any other district; or
 - (2) ~~in which there is already pending a case under title 11 concerning an such person's affiliate that directly or indirectly owns controls, is the general partner, or holds 50 percent or more partnership.~~
 - (2) ~~A case under chapter 11 of the outstanding voting securities, of title 11 in which the person or entity that is the subject of such later filed the case,~~
- (b) ~~For the purpose of this Section 1408, the domicile or residence of is a person or entity other than an individual shall be the corporation may be commenced only in the district court for the district~~
- (1)(b) ~~in which such person or entity has its the principal place of business in the United States, or principal assets in the United States, of such corporation have been located for 1 year immediately preceding such commencement, or for a longer portion of such 1-year period than the principal place of business in the United States, or principal assets in the United States, of such corporation were located in any other district; or~~
- (2) ~~in which there is pending a case under chapter 11 of title 11 concerning an affiliate of such corporation, if the affiliate in such pending case directly or indirectly owns, controls, or holds with power to vote more than 50 percent of the outstanding voting securities of such corporation.~~