

S 314

Fairness in Bankruptcy Litigation Act of 2005

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** Feb 8, 2005

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Feb 8, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/314>

Sponsor

**Name:** Sen. Cornyn, John [R-TX]

**Party:** Republican • **State:** TX • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Feinstein, Dianne [D-CA]	D · CA		Feb 14, 2005
Sen. Stevens, Ted [R-AK]	R · AK		Sep 15, 2005

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Feb 8, 2005

Subjects & Policy Tags

**Policy Area:**

Law

Related Bills

No related bills are listed.

Fairness in Bankruptcy Litigation Act of 2005 - Amends the Federal judicial code to establish that domicile and residence of a debtor, for purposes of establishing venue in bankruptcy cases on the basis of domicile and residence, is located where the debtor's principal place of business is located. Provides that venue also lies in the district in which such a case concerning the controlling corporation is pending: (1) if the debtor is controlled by another corporation, the financial statements of the debtor have been consolidated with those of the controlling corporation within a specified period of time before filing for bankruptcy, and the controlling corporation is a debtor in bankruptcy proceedings; or (2) if the debtor is not such a corporation, the debtor has been controlled by another corporation for a specified time period before filing, and the controlling corporation is a debtor in bankruptcy proceedings.

Adds bankruptcy courts to the list of district courts required to dismiss or transfer cases laying venue in the wrong division or district.

### **Actions Timeline**

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- **Feb 8, 2005:** Introduced in Senate
- **Feb 8, 2005:** Sponsor introductory remarks on measure. (CR S1125-1129)
- **Feb 8, 2005:** Read twice and referred to the Committee on the Judiciary.