

HR 4296

Innocent Supplier Fairness Act

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Nov 10, 2005

Current Status: Referred to the Subcommittee on Commercial and Administrative Law.

Latest Action: Referred to the Subcommittee on Commercial and Administrative Law. (Feb 6, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/4296>

Sponsor

Name: Rep. Sodrel, Michael E. [R-IN-9]

Party: Republican • **State:** IN • **Chamber:** House

Cosponsors (20 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Nov 10, 2005
Rep. Coble, Howard [R-NC-6]	R · NC		Nov 10, 2005
Rep. Cole, Tom [R-OK-4]	R · OK		Nov 10, 2005
Rep. Culberson, John Abney [R-TX-7]	R · TX		Nov 10, 2005
Rep. Foxx, Virginia [R-NC-5]	R · NC		Nov 10, 2005
Rep. Franks, Trent [R-AZ-2]	R · AZ		Nov 10, 2005
Rep. Gohmert, Louie [R-TX-1]	R · TX		Nov 10, 2005
Rep. Hostettler, John N. [R-IN-8]	R · IN		Nov 10, 2005
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Nov 10, 2005
Rep. Kuhl, John R. "Randy", Jr. [R-NY-29]	R · NY		Nov 10, 2005
Rep. Marchant, Kenny [R-TX-24]	R · TX		Nov 10, 2005
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Nov 10, 2005
Rep. Pence, Mike [R-IN-6]	R · IN		Nov 10, 2005
Rep. Rohrabacher, Dana [R-CA-46]	R · CA		Nov 10, 2005
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		Nov 10, 2005
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Nov 10, 2005
Rep. Westmoreland, Lynn A. [R-GA-8]	R · GA		Nov 10, 2005
Rep. Wilson, Joe [R-SC-2]	R · SC		Nov 10, 2005
Rep. Souder, Mark E. [R-IN-3]	R · IN		Mar 2, 2006
Rep. McHugh, John M. [R-NY-23]	R · NY		Apr 6, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Feb 6, 2006

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

No related bills are listed.

Summary (as of Nov 10, 2005)

Innocent Supplier Fairness Act - Amends federal bankruptcy law to detail the elements of a special relationship that the trustee in bankruptcy must prove in order to rebut the presumption that the creditor or party in interest against whom recovery or avoidance is sought has carried the burden of proving the nonavoidability of a transfer.

Specifies such elements as: (1) the insider character of the creditor or the party in interest; (2) common ownership of the debtor and such creditor or such party; (3) common management of the debtor and creditor or party consisting of overlapping senior management or directors; (4) explicit notice from the debtor to such creditor or party that a petition filling is contemplated or imminent before the date of the transfer; or (5) the use by such creditor or party of judicial process, during the 90 days before the petition filing, against the debtor to collect a debt with respect to which a transfer may have been made.

Amends the federal judicial code to require the trustee in bankruptcy to commence a proceeding to avoid preferences only in the district court for the district in which the defendant resides.

Actions Timeline

- **Feb 6, 2006:** Referred to the Subcommittee on Commercial and Administrative Law.
- **Nov 10, 2005:** Introduced in House
- **Nov 10, 2005:** Introduced in House
- **Nov 10, 2005:** Referred to the House Committee on the Judiciary.