

HR 5421

Financial Institution Bankruptcy Act of 2014

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Sep 9, 2014

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Dec 2, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/5421>

Sponsor

Name: Rep. Bachus, Spencer [R-AL-6]

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

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Conyers, John, Jr. [D-MI-13]	D · MI		Sep 9, 2014
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Sep 9, 2014

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	Sep 10, 2014
Judiciary Committee	Senate	Referred To	Dec 2, 2014

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
113 S 1861	Related bill	Dec 19, 2013: Read twice and referred to the Committee on the Judiciary.

Financial Institution Bankruptcy Act of 2014 - (Sec. 2) Amends federal bankruptcy law with respect to a "covered financial corporation" incorporated or organized under any federal or state law (other than a stockbroker, a commodity broker, or a domestic or foreign insurance company or financial institution meeting certain criteria) that is: (1) a bank holding company; or (2) a corporation that exists for the primary purpose of owning, controlling, and financing its subsidiaries, has total consolidated assets of \$50 billion or greater, and whose annual gross revenues or consolidated assets meet specified tests.

Allows a case under subchapter V (established by this Act) to be converted to chapter 7 (Liquidation) if certain conditions are met, including: (1) a court-ordered appointment of a special trustee, and 2) the court finds that conversion is in the best interest of creditors and the estate.

(Sec. 3) Adds "Subchapter V - Liquidation, Reorganization, or Recapitalization of a Covered Financial Corporation," setting forth requirements and prohibitions regarding: (1) commencement of a case concerning a covered financial corporation; (2) a special trustee and bridge company; (3) special transfer of the property of the estate in bankruptcy; (4) treatment of qualified financial contracts and affiliate contracts; (5) licenses, permits, and registrations; (6) exemption from securities laws; and (7) inapplicability of certain avoiding powers.

Authorizes the Board of Governors of the Federal Reserve, the Securities Exchange Commission (SEC), the Office of the Comptroller of the Currency of the Department of the Treasury, and the Federal Deposit Insurance Corporation (FDIC) to raise and be heard on any issue in any case or proceeding under Subchapter V.

(Sec. 4) Amends the federal judicial code to require the Chief Justice of the United States to designate: (1) at least three appellate judges in at least four circuits to serve on an appellate panel available to hear appeals in a bankruptcy case concerning a covered financial corporation, and (2) a panel of at least 10 bankruptcy judges to be available to hear a case under subchapter V.

Prescribes requirements for the assignment of bankruptcy judges to subchapter V cases.

Actions Timeline

- **Dec 2, 2014:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Dec 1, 2014:** Reported by the Committee on Judiciary. H. Rept. 113-630.
- **Dec 1, 2014:** Placed on the Union Calendar, Calendar No. 470.
- **Dec 1, 2014:** Mr. Goodlatte moved to suspend the rules and pass the bill, as amended.
- **Dec 1, 2014:** Considered under suspension of the rules. (consideration: CR H8174-8181)
- **Dec 1, 2014:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5421.
- **Dec 1, 2014:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H8174-8177)
- **Dec 1, 2014:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H8174-8177)
- **Dec 1, 2014:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 10, 2014:** Subcommittee on Regulatory Reform, Commercial And Antitrust Law Discharged.
- **Sep 10, 2014:** Committee Consideration and Mark-up Session Held.
- **Sep 10, 2014:** Ordered to be Reported by Voice Vote.
- **Sep 9, 2014:** Introduced in House
- **Sep 9, 2014:** Referred to the House Committee on the Judiciary.
- **Sep 9, 2014:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.