

HR 95

Protecting Employees and Retirees in Municipal Bankruptcies Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Jan 6, 2015

Current Status: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.

Latest Action: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law. (Jan 22, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/95>

Sponsor

Name: Rep. Conyers, John, Jr. [D-MI-13]

Party: Democratic • **State:** MI • **Chamber:** House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cohen, Steve [D-TN-9]	D · TN		Jan 6, 2015
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Jan 6, 2015
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Jan 6, 2015

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jan 22, 2015

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

No related bills are listed.

Protecting Employees and Retirees in Municipal Bankruptcies Act of 2015

Amends federal bankruptcy law with respect to the requirement for a municipality to be a debtor under Chapter 9 (Adjustment of Debts of a Municipality) that the municipality has negotiated in good faith with creditors and failed to obtain the agreement of those holding at least a majority in amount of the claims of each class that the municipality intends to impair under a plan.

Requires that, with respect to creditors who are the municipality's employees or retirees, "good faith" has the same meaning as it does in the National Labor Relations Act.

Requires the municipality also to establish by clear and convincing evidence that it satisfies all eligibility criteria.

Repeals the limitation placed upon court authority to issue a stay pending an appeal of an order for relief.

Amends the Judicial Code to confer upon the appropriate court of appeals jurisdiction of any appeal of a bankruptcy court determination that an entity is eligible to be a municipal debtor. Requires the appellate court to consider and determine such appeal on an expedited basis as a direct appeal, which shall be reviewed and heard *de novo* on the merits.

Requires the court to confirm the bankruptcy plan of a municipality which modifies a collective bargaining agreement or a retiree benefit in any manner otherwise prohibited by nonbankruptcy law if the plan is agreed to by the authorized representative of either the employees covered by collective bargaining or the individuals receiving the retiree benefits.

Designates the labor organization signatory to a collective bargaining agreement as the authorized representative of individuals receiving retiree benefits covered by that agreement.

Sets forth procedures for court appointment of an authorized representative if a labor organization elects not to serve as one, or if the retired employees are not covered by a collective bargaining agreement.

Actions Timeline

- **Jan 22, 2015:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Jan 6, 2015:** Introduced in House
- **Jan 6, 2015:** Sponsor introductory remarks on measure. (CR E11-12)
- **Jan 6, 2015:** Referred to the House Committee on the Judiciary.