

106TH CONGRESS  
1ST SESSION

# H. R. 1282

To amend title 11, United States Code, to limit the value of certain real and personal property that an individual debtor may elect to exempt under State or local law; to make nondischargeable consumer debts for luxury goods and services acquired in the 90-day period ending on the date a case is commenced under such title; and to permit parties in interest to request the dismissal of cases under chapter 7 of such title.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1999

Mr. BARRETT of Wisconsin introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Individual Bankruptcy  
3 Abuse Reform Act of 1999”.

4 **SEC. 2. LIMITATION ON EXEMPT PROPERTY.**

5 Section 522 of title 11, United States Code, is  
6 amended—

7 (1) in subsection (b)(2)(A) by inserting “sub-  
8 ject to subsection (n),” before “any property”; and

9 (2) by adding at the end the following:

10 “(n) As a result of electing under subsection  
11 (b)(2)(A) to exempt property under State or local law, a  
12 debtor may not exempt an interest that exceeds \$100,000  
13 in value, in the aggregate, in—

14 “(1) real or personal property that the debtor  
15 or a dependent of the debtor uses as a residence;

16 “(2) a cooperative that owns property that the  
17 debtor or a dependent of the debtor uses as a resi-  
18 dence; or

19 “(3) a burial plot for the debtor or a dependent  
20 of the debtor.”.

21 **SEC. 3. NONDISCHARGEABLE DEBTS FOR LUXURY GOODS**  
22 **AND SERVICES.**

23 Section 523(a)(2)(C) of title 11, United States Code,  
24 is amended by striking “60” the first place it appears and  
25 inserting “90”.

1 **SEC. 4. MOTIONS BY PARTIES IN INTEREST TO DISMISS**

2 **CHAPTER 7 CASES.**

3 Section 707(b) of title 11, United States Code, is  
4 amended by striking “but not at the request or suggestion  
5 of” and inserting “or”.

6 **SEC. 5. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

7 (a) EFFECTIVE DATE.—Except as provided in sub-  
8 section (b), this Act and the amendments made by this  
9 Act shall take effect on the date of the enactment of this  
10 Act.

11 (b) APPLICATION OF AMENDMENTS.—The amend-  
12 ments made by this Act shall apply only with respect to  
13 cases commenced under title 11 of the United States Code  
14 on or after the date of the enactment of this Act.

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