

111TH CONGRESS  
2D SESSION

# H. R. 4950

To provide for improvements to the administration of bankruptcy in cases under chapter 7 of title 11 of the United States Code.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2010

Mr. COHEN (for himself, Mr. WHITFIELD, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide for improvements to the administration of bankruptcy in cases under chapter 7 of title 11 of the United States Code.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Chapter 7 Bankruptcy  
5       Administration Improvement Act of 2010”.

6       **SEC. 2. COMPENSATION FOR BANKRUPTCY TRUSTEES.**

7       (a) NEW ASSET ADJUSTMENTS.—Section 326(a) of  
8       title 11, United States Code, is amended by striking “(a)  
9       In a case under chapter 7 or 11” and inserting the fol-  
10      lowing:

1       “(a)(1) In a case under chapter 7, the court may  
 2 allow reasonable compensation under section 330 of this  
 3 title of the trustee for the trustee’s services, payable after  
 4 the trustee renders such services, not to exceed 25 percent  
 5 on the first \$50,000 or less, 15 percent on any amount  
 6 in excess of \$50,000 but not in excess of \$250,000, 5 per-  
 7 cent on any amount in excess of \$250,000 but not in ex-  
 8 cess of \$1,000,000, and 3 percent on any amount in excess  
 9 of \$1,000,000, upon all moneys disbursed or turned over  
 10 in the case by the trustee to parties in interest, excluding  
 11 the debtor, but including holders of secured claims.

12       “(2) In a case under chapter 11”.

13       (b) COMPENSATION.—Section 330(a)(7) of title 11,  
 14 the United States Code, is amended to read as follows:

15       “(7) In determining the amount of reasonable com-  
 16 pensation to be awarded to a trustee under chapter 7, the  
 17 court shall treat such compensation as a commission,  
 18 based on section 326(a)(1).”.

19 **SEC. 3. APPLICATION OF AMENDMENTS.**

20       The amendments made by this Act shall not apply  
 21 with respect to cases commenced under title 11 of the  
 22 United States Code before the date of the enactment of  
 23 this Act.

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