

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE**

Section effective 180 days after Aug. 23, 2019, see section 5 of Pub. L. 116–54, set out as an Effective Date of 2019 Amendment note under section 101 of this title.

§ 1182. Definitions

In this subchapter:

(1) **DEBTOR.**—The term “debtor” means a small business debtor.

(2) **DEBTOR IN POSSESSION.**—The term “debtor in possession” means the debtor, unless removed as debtor in possession under section 1185(a) of this title.

(Added Pub. L. 116–54, §2(a), Aug. 23, 2019, 133 Stat. 1079; amended Pub. L. 116–136, div. A, title I, §1113(a)(1), (5), Mar. 27, 2020, 134 Stat. 310, 311; Pub. L. 117–151, §2(d), (i)(1)(B), June 21, 2022, 136 Stat. 1298, 1300.)

Editorial Notes**AMENDMENTS**

2022—Par. (1). Pub. L. 117–151, §2(i)(1)(B), amended par. (1) generally. Prior to amendment, par. (1) consisted of subpars. (A) and (B) defining “debtor”.

Pub. L. 117–151, §2(d), amended par. (1) generally. Prior to amendment, text read as follows: “The term ‘debtor’ means a small business debtor.”

2020—Par. (1). Pub. L. 116–136, §1113(a)(5), amended par. (1) generally. Prior to amendment, par. (1) consisted of subpars. (A) and (B) defining “debtor”.

Pub. L. 116–136, §1113(a)(1), temporarily amended par. (1) generally. Prior to amendment, text read as follows: “The term ‘debtor’ means a small business debtor.”

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2022 AMENDMENT**

Amendment by section 2(d) of Pub. L. 117–151 applicable with respect to any case that is commenced under this title on or after Mar. 27, 2020, and with respect to a case that was commenced on or after Mar. 27, 2020, and before June 21, 2022, that is pending on June 21, 2022, see section 2(h)(2) of Pub. L. 117–151, set out as an Effective Date of 2022 Amendment; Retroactive Application note under section 101 of this title.

Pub. L. 117–151, §2(i)(1), June 21, 2022, 136 Stat. 1300, provided in part that the amendment made by section 2(i)(1)(B) is effective on the date that is 2 years after June 21, 2022.

EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116–136, div. A, title I, §1113(a)(3), Mar. 27, 2020, 134 Stat. 311, provided that: “The amendment made by paragraph (1) [amending this section] shall apply only with respect to cases commenced under title 11, United States Code, on or after the date of enactment of this Act [Mar. 27, 2020].”

Pub. L. 116–136, div. A, title I, §1113(a)(5), Mar. 27, 2020, 134 Stat. 311, as amended by Pub. L. 117–5, §2(a)(1), Mar. 27, 2021, 135 Stat. 249, provided in part that the amendment made by section 1113(a)(5) of Pub. L. 116–136 is effective 2 years after Mar. 27, 2020.

EFFECTIVE DATE

Section effective 180 days after Aug. 23, 2019, see section 5 of Pub. L. 116–54, set out as an Effective Date of 2019 Amendment note under section 101 of this title.

§ 1183. Trustee

(a) **IN GENERAL.**—If the United States trustee has appointed an individual under section 586(b) of title 28 to serve as standing trustee in cases

under this subchapter, and if such individual qualifies as a trustee under section 322 of this title, then that individual shall serve as trustee in any case under this subchapter. Otherwise, the United States trustee shall appoint one disinterested person to serve as trustee in the case or the United States trustee may serve as trustee in the case, as necessary.

(b) **DUTIES.**—The trustee shall—

(1) perform the duties specified in paragraphs (2), (5), (6), (7), and (9) of section 704(a) of this title;

(2) perform the duties specified in paragraphs (3), (4), and (7) of section 1106(a) of this title, if the court, for cause and on request of a party in interest, the trustee, or the United States trustee, so orders;

(3) appear and be heard at the status conference under section 1188 of this title and any hearing that concerns—

(A) the value of property subject to a lien;

(B) confirmation of a plan filed under this subchapter;

(C) modification of the plan after confirmation; or

(D) the sale of property of the estate;

(4) ensure that the debtor commences making timely payments required by a plan confirmed under this subchapter;

(5) if the debtor ceases to be a debtor in possession—

(A) perform the duties specified in section 704(a)(8) and paragraphs (1), (2), and (6) of section 1106(a) of this title; and

(B) be authorized to operate the business of the debtor;

(6) if there is a claim for a domestic support obligation with respect to the debtor, perform the duties specified in section 704(c) of this title; and

(7) facilitate the development of a consensual plan of reorganization.

(c) **TERMINATION OF TRUSTEE SERVICE.**—

(1) **IN GENERAL.**—If the plan of the debtor is confirmed under section 1191(a) of this title, the service of the trustee in the case shall terminate when the plan has been substantially consummated, except that the United States trustee may reappoint a trustee as needed for performance of duties under subsection (b)(3)(C) of this section and section 1185(a) of this title.

(2) **SERVICE OF NOTICE OF SUBSTANTIAL CONSUMMATION.**—Not later than 14 days after the plan of the debtor is substantially consummated, the debtor shall file with the court and serve on the trustee, the United States trustee, and all parties in interest notice of such substantial consummation.

(Added Pub. L. 116–54, §2(a), Aug. 23, 2019, 133 Stat. 1079; amended Pub. L. 117–151, §2(e), June 21, 2022, 136 Stat. 1299.)

Editorial Notes**AMENDMENTS**

2022—Subsec. (b)(5). Pub. L. 117–151 substituted “possession—” for “possession,”, designated remainder of existing provisions as subpar. (A), struck out “, including operating the business of the debtor” after