

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
OFFICE OF THE CLERK



October 29, 2019

CLERK'S NOTICE 19-07

**REQUEST FOR PUBLIC COMMENT: PROPOSED INTERIM RULE AND OFFICIAL FORM
AMENDMENTS IN RESPONSE TO THE SMALL BUSINESS REORGANIZATION ACT OF 2019**

On August 23, 2019, the Small Business Reorganization Act of 2019, P.L. 116-54 (SBRA) was enacted (see <https://www.congress.gov/116/bills/hr3311/BILLS-116hr3311enr.pdf>). The SBRA creates a new subchapter V of chapter 11 for the reorganization of small business debtors. It does not repeal existing chapter 11 provisions regarding small business debtors, but instead creates an alternative procedure that small business debtors may elect to use. The effective date of the SBRA is February 19, 2020.

When it became clear that the SBRA would likely become law, the Advisory Committee on Bankruptcy Rules began an intensive effort to review the SBRA's provisions and determine changes to the bankruptcy rules and official bankruptcy forms necessary to implement the legislation by its effective date. Although changes to the official forms can be approved in time for the SBRA effective date, changes to the bankruptcy rules take three years or more under the process established by the Rules Enabling Act, 28 U.S.C. §§ 2071-77, and will not be completed by that time. As a result, interim SBRA rules will be issued for adoption as local rules or by general order in each judicial district.

The proposed SBRA form changes and interim rules have been published for public comment. Information on how to submit comments can be found on the "Proposed Amendments for Public Comment" page of the United States Courts' public website at: <https://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>.

The public comment period will close on November 13, 2019.

FOR THE COURT
Robert P. Colwell
Clerk of Court