## 107TH CONGRESS 2D SESSION S. 2996

To amend title 11, United States Code, to limit the value of certain real and personal property that a debtor may elect to exempt under State or local law, and for other purposes.

### IN THE SENATE OF THE UNITED STATES

#### SEPTEMBER 24, 2002

Mr. KOHL (for himself, Mr. SESSIONS, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

# A BILL

- To amend title 11, United States Code, to limit the value of certain real and personal property that a debtor may elect to exempt under State or local law, and for other purposes.
  - 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 "Bankruptcy Abuse Re-
- 5 form Act of 2002".

### 6 SEC. 2. LIMITATION.

7 Section 522 of title 11, United States Code, is8 amended—

1	(1) in subsection $(b)(2)(A)$ , by inserting "sub-
2	ject to subsection (n)," before "any property"; and
3	(2) by adding at the end the following new sub-
4	section:
5	((n)(1) As a result of electing under subsection
6	(b)(2)(A) to exempt property under State or local law, a
7	debtor may not exempt any amount of interest that ex-
8	ceeds, in the aggregate, \$125,000 in value in—
9	"(A) real or personal property that the debtor
10	or a dependent of the debtor uses as a residence;
11	"(B) a cooperative that owns property that the
12	debtor or a dependent of the debtor uses as a resi-
13	dence; or
14	"(C) a burial plot for the debtor or a dependent
15	of the debtor.
16	"(2) The limitation under paragraph $(1)$ shall not
17	apply to an exemption claimed under subsection (b)(3)(A)
18	by a family farmer for the principal residence of that
19	farmer.".

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