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111TH CONGRESS
1ST SESSION

H. R. 313

To amend title 11, United States Code, to establish a priority for the payment of claims for duties paid to the United States by licensed customs brokers and sureties on behalf of a debtor.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

Mr. CUELLAR introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To amend title 11, United States Code, to establish a priority for the payment of claims for duties paid to the United States by licensed customs brokers and sureties on behalf of a debtor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Customs Business Fairness Act of 2009''.

SEC. 2. AMENDMENT.

Section 507(a) of title 11, United States Code, is amended by adding at the end the following:

"(11) Eleventh, allowed unsecured claims of customs brokers (as defined in section 641 of the Tariff Act of 1930) and sureties (as provided in section 623 of the Tariff Act of 1930) for duties, taxes, or other charges paid to the United States Bureau of Customs and Border Protection on behalf of the debtor arising out of the importation of merchandise entered for consumption within one year before the date of the filing of the petition.".

SEC. 3. EFFECTIVE DATE; APPLICATION OF AMENDMENT.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendment made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENT.—The amendment made by this Act shall apply only with respect to cases commenced under title 11, United States Code, on or after the date of the enactment of this Act.

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