

1 **Rule 3016. Filing of Plan and Disclosure Statement in a**
2 **Chapter 9 Municipality or Chapter 11 Reorganization**
3 **Case**

4 (a) IDENTIFICATION OF PLAN. Every proposed
5 plan and any modification thereof shall be dated and, in a
6 chapter 11 case, identified with the name of the entity or
7 entities submitting or filing it.

8 (b) DISCLOSURE STATEMENT. In a chapter 9 or
9 11 case, a disclosure statement, if required under § 1125 of
10 the Code, or evidence showing compliance with § 1126(b)
11 shall be filed with the plan or within a time fixed by the
12 court, unless the plan is intended to provide adequate
13 information under § 1125(f)(1). If the plan is intended to
14 provide adequate information under § 1125(f)(1), it shall be
15 so designated, and Rule 3017.1 shall apply as if the plan is a
16 disclosure statement.

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18 (d) STANDARD FORM SMALL BUSINESS
19 DISCLOSURE STATEMENT AND PLAN. In a small
20 business case or a case under subchapter V of chapter 11, the
21 court may approve a disclosure statement and may confirm
22 a plan that conform substantially to the appropriate Official
23 Forms or other standard forms approved by the court.

Committee Note

The rule is amended in response to the enactment of the Small Business Reorganization Act of 2019, Pub. L. No. 116-54, 133 Stat. 1079. That law gives a small business debtor the option of electing to be a debtor under subchapter V of chapter 11. Subdivision (b) of the rule is amended to reflect that under § 1181(b) of the Code, § 1125 does not apply to subchapter V cases (and thus a disclosure statement is not required) unless the court for cause orders otherwise. Subdivision (d) is amended to include subchapter V cases as ones in which Official Forms are available for a reorganization plan and, when required, a disclosure statement.