

1 **Rule 3017.2. Fixing of Dates by the Court in Subchapter**
2 **V Cases in Which There Is No Disclosure Statement**

3 In a case under subchapter V of chapter 11 in which
4 § 1125 does not apply, the court shall:

5 (a) fix a time within which the holders of claims
6 and interests may accept or reject the plan;

7 (b) fix a date on which an equity security holder
8 or creditor whose claim is based on a security must
9 be the holder of record of the security in order to be
10 eligible to accept or reject the plan;

11 (c) fix a date for the hearing on confirmation; and

12 (d) fix a date for transmission of the plan, notice
13 of the time within which the holders of claims and
14 interests may accept or reject the plan, and notice of
15 the date for the hearing on confirmation.

Committee Note

The rule is added 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. Because there generally will not be a disclosure statement in a subchapter V case, *see* § 1181(b) of the Code, the rule is added to authorize the court in such a case to act at a time other than when a disclosure statement is approved to set certain times and dates.