

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**Expiration of Certain Bankruptcy Code Amendments
in the Consolidated Appropriations Act of 2021**

The [Consolidated Appropriations Act of 2021](#) (“CAA”) was signed into law on December 27, 2020 and amended several sections in the Bankruptcy Code on a temporary basis to provide certain relief to individuals and businesses affected by the pandemic. *See* CAA, Div. N, Title III § 320; CAA, Div. FF, Title X § 1001. Many of these amendments sunset on December 27, 2021. *See* CAA, Div. FF, Title X § 1001(a)(2), (b)(2), (c)(2), (d)(3), (e)(2), (h)(2), & (i)(2).

The Court has removed two events from CM/ECF which corresponded to lapsed amendments under the CAA. “Motion for Discharge Pursuant to Section 1328(i),” which allowed, under certain circumstances, a chapter 13 debtor to obtain a discharge despite missing up to three mortgage payments, has been removed because the corresponding amendment has lapsed. *See* CAA, Div. FF, Title X § 1001(b)(2). “Supplemental Proof of Claim for CARES Forbearance Claim,” under which an eligible creditor could file a supplemental claim arising from a debtor’s loan forbearance under the CARES Act, has been removed because the corresponding amendment has lapsed. *See id.* at § 1001(d)(3).

It should be noted that Congress may still decide to extend the sunset dates for the lapsed amendments and make it retroactive. We will monitor the legislative activity and inform you should Congress take action.