

118TH CONGRESS  
1ST SESSION

# S. 2831

To prohibit the non-consensual release of claims by States, municipalities, federally recognized Tribes, or the United States against non-debtors, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2023

Mr. BLUMENTHAL (for himself, Ms. WARREN, and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To prohibit the non-consensual release of claims by States, municipalities, federally recognized Tribes, or the United States against non-debtors, 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 “Stop shielding Assets  
5 from Corporate Known Liability by Eliminating non-debt-  
6 or Releases Act” or the “SACKLER Act”.

7 **SEC. 2. NON-DEBTOR RELEASES.**

8 (a) PROHIBITION ON CERTAIN NON-DEBTOR RE-  
9 LEASES.—Section 105(b) of title 11, United States Code,

1 is amended by striking “a court may not” and all that  
2 follows, and inserting the following: “a court may not—

3           “(1) appoint a receiver in a case under this  
4 title; or

5           “(2) except as provided by section 524(g) of  
6 this title, enjoin or release a claim against a non-  
7 debtor by a State, municipality, federally recognized  
8 Tribe, or the United States.”.

9           (b) TEMPORARY STAY ON ACTIONS AGAINST NON-  
10 DEBTORS.—Section 105 of title 11, United States Code,  
11 is amended by adding at the end the following:

12           “(e) Notwithstanding subsection (b)(2), a court may  
13 issue an order staying, for a period not to exceed 90 days,  
14 the commencement or continuation, including the issuance  
15 or employment of process, of a judicial, administrative, or  
16 other action or proceeding by a State, municipality, feder-  
17 ally recognized Tribe, or the United States against a non-  
18 debtor that was or could have been commenced before the  
19 commencement of the case under this title, or to recover  
20 a claim against a non-debtor that arose before the com-  
21 mencement of the case under this title.”.

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