

S 2062

Class Action Fairness Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Feb 10, 2004

Current Status: Cloture not invoked in Senate by Yea-Nay Vote. 44 - 43. Record Vote Number: 154. (consideration: CR

Latest Action: Cloture not invoked in Senate by Yea-Nay Vote. 44 - 43. Record Vote Number: 154. (consideration: CR S7818-7819) (Jul 8, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2062>

Sponsor

Name: Sen. Grassley, Chuck [R-IA]

Party: Republican • **State:** IA • **Chamber:** Senate

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Carper, Thomas R. [D-DE]	D · DE		Feb 10, 2004
Sen. Chafee, Lincoln [R-RI]	R · RI		Feb 10, 2004
Sen. Dodd, Christopher J. [D-CT]	D · CT		Feb 10, 2004
Sen. Hatch, Orrin G. [R-UT]	R · UT		Feb 10, 2004
Sen. Kohl, Herb [D-WI]	D · WI		Feb 10, 2004
Sen. Landrieu, Mary L. [D-LA]	D · LA		Feb 10, 2004
Sen. Lugar, Richard G. [R-IN]	R · IN		Feb 10, 2004
Sen. Miller, Zell [D-GA]	D · GA		Feb 10, 2004
Sen. Schumer, Charles E. [D-NY]	D · NY		Feb 10, 2004
Sen. Specter, Arlen [R-PA]	R · PA		Feb 10, 2004
Sen. Collins, Susan M. [R-ME]	R · ME		May 12, 2004
Sen. Voinovich, George V. [R-OH]	R · OH		Jun 3, 2004
Sen. Hagel, Chuck [R-NE]	R · NE		Jun 24, 2004

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
108 S 12	Identical bill	Nov 19, 2004: Read twice and referred to the Committee on the Judiciary.
108 S 1751	Related bill	Oct 22, 2003: Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 59 - 39. Record Vote Number: 403.
108 S 274	Related bill	Jul 31, 2003: By Senator Hatch from Committee on the Judiciary filed written report. Report No. 108-123. Minority views filed.
108 HR 1115	Related bill	Jun 12, 2003: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Summary (as of Feb 10, 2004)

Class Action Fairness Act of 2004 - Amends the Federal judicial code to specify the calculation of contingent and other attorney's fees in proposed class action settlements that provide for the award of coupons to class members.

Prohibits a Federal district court from approving: (1) a proposed coupon settlement absent a finding that the settlement is fair, reasonable, and adequate; (2) a proposed settlement involving payments to class counsel that would result in a net monetary loss to class members, absent a finding that the loss is substantially outweighed by nonmonetary benefits; or (3) a proposed settlement that provides greater sums to some class members solely because they are closer geographically to the court.

Specifies requirements for notices of proposed settlements.

Grants district courts original jurisdiction of any civil action in which the matter in controversy exceeds \$5 million, exclusive of interest and costs, and is between citizens of different States, or citizens of a State and a foreign State or its citizens or subjects.

Lists those factors pursuant to which a district court may decline to exercise jurisdiction over a class action, and specifies those circumstances in which a district court must decline jurisdiction.

Sets forth provisions governing the removal of interstate class actions to Federal district court and the review on appeal of remand orders.

Directs the Judicial Conference of the United States to report on class action settlements, incorporating recommendations for best court practices to ensure fairness for class members and appropriate fees for counsel.

Actions Timeline

- **Jul 8, 2004:** Considered by Senate. (consideration: CR S7782-7819)
- **Jul 8, 2004:** Cloture not invoked in Senate by Yea-Nay Vote. 44 - 43. Record Vote Number: 154. (consideration: CR S7818-7819)
- **Jul 7, 2004:** Considered by Senate. (consideration: CR S7697-7743)
- **Jul 7, 2004:** Motion by Senator Frist to commit to Senate Committee on the Judiciary with instructions that the Committee report back forthwith with the following amendment (SA 3550) made in Senate.
- **Jul 7, 2004:** Cloture motion on the bill presented in Senate.
- **Jul 6, 2004:** Measure laid before Senate by unanimous consent. (consideration: CR S7563-7570)
- **Jun 1, 2004:** Cloture motion withdrawn by unanimous consent in Senate.
- **May 21, 2004:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S6249-6250)
- **May 21, 2004:** Cloture motion on the motion to proceed presented in Senate. (consideration: CR S6250)
- **May 21, 2004:** Motion to proceed to consideration of measure withdrawn in Senate.
- **Feb 11, 2004:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 430.
- **Feb 10, 2004:** Introduced in Senate
- **Feb 10, 2004:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.