

HR 1038

Multidistrict Litigation Restoration Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Law

Introduced: Mar 2, 2005

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Apr 20, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/1038>

Sponsor

Name: Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

Party: Republican • **State:** WI • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Mar 3, 2005
Judiciary Committee	Senate	Referred To	Apr 20, 2005

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
109 S 3734	Related bill	Jul 26, 2006: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S8273-8274)

(This measure has not been amended since it was introduced. The summary of that version is repeated here.)

Multidistrict Litigation Restoration Act of 2005 - Amends the Federal judicial code to allow a civil action transferred for coordinated or consolidated pretrial proceedings (multidistrict litigation) to be transferred to the transferee or other district for trial purposes in the interest of justice and for the convenience of the parties and witnesses. Directs that any such action transferred for trial purposes be remanded to the district court from which it was transferred for the determination of compensatory damages unless the court determines the same justification applies to retaining the action for damages determination.

Authorizes the transferee court to retain actions transferred when jurisdiction is or could have been based on the Multiparty, Multiforum Trial Jurisdiction Act of 2002 (granting district courts original jurisdiction of any civil action involving minimal diversity between adverse parties that arises from a single accident, where at least 75 natural persons have died in the accident at a discrete location) for the determination of liability and punitive damages. Directs that an action retained for the determination of liability be remanded to the district court from which the action was transferred, or to the State court from which the action was removed, for the determination of damages other than punitive damages, unless the court finds that the action should be retained for the determination of such damages for the convenience of parties and witnesses and in the interest of justice.

Actions Timeline

- **Apr 20, 2005:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Apr 19, 2005:** Mr. Sensenbrenner moved to suspend the rules and pass the bill.
- **Apr 19, 2005:** Considered under suspension of the rules. (consideration: CR H2120-2121)
- **Apr 19, 2005:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1038.
- **Apr 19, 2005:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H2120)
- **Apr 19, 2005:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H2120)
- **Apr 19, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 17, 2005:** Reported by the Committee on Judiciary. H. Rept. 109-24.
- **Mar 17, 2005:** Reported by the Committee on Judiciary. H. Rept. 109-24.
- **Mar 17, 2005:** Placed on the Union Calendar, Calendar No. 10.
- **Mar 9, 2005:** Committee Consideration and Mark-up Session Held.
- **Mar 9, 2005:** Ordered to be Reported by Voice Vote.
- **Mar 3, 2005:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 3, 2005:** Forwarded by Subcommittee to Full Committee by Voice Vote.
- **Mar 2, 2005:** Introduced in House
- **Mar 2, 2005:** Introduced in House
- **Mar 2, 2005:** Referred to the House Committee on the Judiciary.
- **Mar 2, 2005:** Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.