

## S 489

Federal Consent Decree Fairness Act

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** Mar 1, 2005

**Current Status:** Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 109-181.

**Latest Action:** Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 109-181. (Jul 19, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/489>

### Sponsor

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**Name:** Sen. Alexander, Lamar [R-TN]

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

Cosponsors (26 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cornyn, John [R-TX]	R · TX		Mar 1, 2005
Sen. Kyl, Jon [R-AZ]	R · AZ		Mar 1, 2005
Sen. Nelson, Ben [D-NE]	D · NE		Mar 2, 2005
Sen. Pryor, Mark L. [D-AR]	D · AR		Mar 2, 2005
Sen. Bennett, Robert F. [R-UT]	R · UT		Mar 4, 2005
Sen. Cochran, Thad [R-MS]	R · MS		Mar 4, 2005
Sen. Craig, Larry E. [R-ID]	R · ID		Mar 4, 2005
Sen. Domenici, Pete V. [R-NM]	R · NM		Mar 4, 2005
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Mar 4, 2005
Sen. Inhofe, James M. [R-OK]	R · OK		Mar 4, 2005
Sen. Lott, Trent [R-MS]	R · MS		Mar 4, 2005
Sen. McConnell, Mitch [R-KY]	R · KY		Mar 4, 2005
Sen. Roberts, Pat [R-KS]	R · KS		Mar 4, 2005
Sen. Santorum, Rick [R-PA]	R · PA		Mar 4, 2005
Sen. Smith, Gordon H. [R-OR]	R · OR		Mar 4, 2005
Sen. Warner, John [R-VA]	R · VA		Mar 4, 2005
Sen. Chambliss, Saxby [R-GA]	R · GA		Mar 9, 2005
Sen. Graham, Lindsey [R-SC]	R · SC		Mar 10, 2005
Sen. Gregg, Judd [R-NH]	R · NH		Mar 10, 2005
Sen. Ensign, John [R-NV]	R · NV		Mar 14, 2005
Sen. Isakson, Johnny [R-GA]	R · GA		Mar 14, 2005
Sen. Burns, Conrad R. [R-MT]	R · MT		Apr 5, 2005
Sen. Hatch, Orrin G. [R-UT]	R · UT		Apr 11, 2005
Sen. Murkowski, Lisa [R-AK]	R · AK		Jun 7, 2005
Sen. Thune, John [R-SD]	R · SD		Jul 21, 2005
Sen. Sununu, John E. [R-NH]	R · NH		Jul 27, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Hearings By (full committee)	Jul 19, 2005

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
109 HR 1229	Related bill	<b>Jun 13, 2006:</b> Sponsor introductory remarks on measure. (CR H3892)

Federal Consent Decree Fairness Act - Authorizes State or local governments and related officials sued in their official capacity to file a motion to modify or vacate a consent decree upon the earlier of: (1) four years after the consent decree is originally entered; or (2) in the case of a civil action in which a State is a party or in which a local government is a party and the surrounding State is not a party, the expiration of the term of office of the highest elected State or local government official authorizing the consent decree.

Places the burden of proof with respect to such motions on the party originally filing the action to demonstrate that continued enforcement is necessary to uphold a Federal right.

Nullifies consent decrees pending a ruling on a motion to modify or vacate if the court fails to rule on such motion within 90 days of filing.

Addresses compensation and termination of special masters overseeing consent decrees.

Makes this Act applicable to all consent decrees regardless of: (1) the date on which the final order of a consent decree is entered; or (2) whether any relief has been obtained before enactment.

### **Actions Timeline**

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- **Jul 19, 2005:** Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 109-181.
- **Mar 1, 2005:** Introduced in Senate
- **Mar 1, 2005:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S1877)