

HR 739

To amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration, to provide for greater efficiency at the Occupational Safety and Health Review Commission, to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission, and to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Feb 10, 2005

Current Status: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and

Latest Action: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Jul 13, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/739>

Sponsor

Name: Rep. Norwood, Charles W. [R-GA-9]

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

Cosponsors (23 total)

| Cosponsor | Party / State | Role | Date Joined |
|--|---------------|------|--------------|
| Rep. Biggert, Judy [R-IL-13] | R · IL | | Feb 10, 2005 |
| Rep. Boehner, John A. [R-OH-8] | R · OH | | Feb 10, 2005 |
| Rep. Ehlers, Vernon J. [R-MI-3] | R · MI | | Feb 10, 2005 |
| Rep. Johnson, Sam [R-TX-3] | R · TX | | Feb 10, 2005 |
| Rep. Keller, Ric [R-FL-8] | R · FL | | Feb 10, 2005 |
| Rep. Kline, John [R-MN-2] | R · MN | | Feb 10, 2005 |
| Rep. McKeon, Howard P. "Buck" [R-CA-25] | R · CA | | Feb 10, 2005 |
| Rep. Neugebauer, Randy [R-TX-19] | R · TX | | Feb 10, 2005 |
| Rep. Paul, Ron [R-TX-14] | R · TX | | Feb 10, 2005 |
| Rep. Wilson, Joe [R-SC-2] | R · SC | | Feb 10, 2005 |
| Rep. Drake, Thelma D. [R-VA-2] | R · VA | | Mar 8, 2005 |
| Rep. Hall, Ralph M. [R-TX-4] | R · TX | | Mar 8, 2005 |
| Rep. Pitts, Joseph R. [R-PA-16] | R · PA | | Mar 8, 2005 |
| Resident Commissioner Fortuno, Luis G. [R-PR-At Large] | R · PR | | Mar 8, 2005 |
| Rep. Marchant, Kenny [R-TX-24] | R · TX | | Mar 10, 2005 |
| Rep. Price, Tom [R-GA-6] | R · GA | | Mar 10, 2005 |
| Rep. Sullivan, John [R-OK-1] | R · OK | | Mar 15, 2005 |
| Rep. Boustany, Charles W., Jr. [R-LA-7] | R · LA | | Mar 16, 2005 |
| Rep. Musgrave, Marilyn N. [R-CO-4] | R · CO | | Mar 16, 2005 |
| Rep. Barrett, J. Gresham [R-SC-3] | R · SC | | Apr 6, 2005 |
| Rep. Foxx, Virginia [R-NC-5] | R · NC | | Apr 18, 2005 |
| Rep. Kuhl, John R. "Randy", Jr. [R-NY-29] | R · NY | | Apr 18, 2005 |
| Rep. Souder, Mark E. [R-IN-3] | R · IN | | Apr 18, 2005 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|-------------|--------------|
| Education and Workforce Committee | House | Reported By | Apr 18, 2005 |
| Health, Education, Labor, and Pensions Committee | Senate | Referred To | Jul 13, 2005 |

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

| Bill | Relationship | Last Action |
|--------------|--------------|--|
| 109 HR 740 | Related bill | Jul 12, 2005: Pursuant to the provisions of H. Res. 351, H.R. 740 is laid on the table. |
| 109 HR 741 | Related bill | Jul 12, 2005: Pursuant to the provisions of H. Res. 351, H.R. 741 is laid on the table. |
| 109 HR 742 | Related bill | Jul 12, 2005: Pursuant to the provisions of H. Res. 351, H.R. 742 is laid on the table. |
| 109 HRES 351 | Related bill | Jul 12, 2005: Motion to reconsider laid on the table Agreed to without objection. |

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

Occupational Safety and Health Small Business Day in Court Act of 2005 - Amends the Occupational Safety and Health Act of 1970 to revise a requirement that, if an employer fails to file a notice of contest within 15 working days following the issuance of a citation or proposed assessment of a penalty, the citation or assessment becomes a final order not subject to review. Provides for an exception if such failure results from mistake, inadvertence, surprise, or excusable neglect.

Actions Timeline

- **Jul 13, 2005:** Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
- **Jul 12, 2005:** Considered under the provisions of rule H. Res. 351. (consideration: CR H5677-5686)
- **Jul 12, 2005:** Rule provides for consideration of H.R. 739, H.R. 740, H.R. 741 and H.R. 742. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. The rule provides for separate consideration in the House of H.R. 739, H.R. 740, H.R. 741 and H.R. 742. The rule provides one hour of general debate for each bill, equally divided and controlled. The amendments in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in H.R. 740 and H.R. 741, shall be considered as adopted. Measure will be considered read. Bill is closed to amendments. In the engrossment of H.R. 739, the Clerk shall add the texts of H.R. 740, H.R. 741, and H.R. 742, as passed by the House, as new matter at the end of H.R. 739, and then lay on the table H.R. 740, H.R. 741, and H.R. 742. If H.R. 739 is disposed of without reaching the stage of engrossment...
- **Jul 12, 2005:** DEBATE - The House proceeded with one hour of debate on H.R. 739.
- **Jul 12, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H5686)
- **Jul 12, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on H.R. 739, the Chair put the question on adoption of the bill and by voice vote, announced that the yeas had prevailed. Mr. Boehner demanded the yeas and nays and the Chair postponed further proceedings on the question of adoption of the bill until later in the legislative day.
- **Jul 12, 2005:** Considered as unfinished business. (consideration: CR H5706-5707)
- **Jul 12, 2005:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 256 - 164 (Roll no. 369).(text: CR H5677)
- **Jul 12, 2005:** On passage Passed by the Yeas and Nays: 256 - 164 (Roll no. 369). (text: CR H5677)
- **Jul 12, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 11, 2005:** Rules Committee Resolution H. Res. 351 Reported to House. Rule provides for consideration of H.R. 739, H.R. 740, H.R. 741 and H.R. 742. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. The rule provides for separate consideration in the House of H.R. 739, H.R. 740, H.R. 741 and H.R. 742. The rule provides one hour of general debate for each bill, equally divided and controlled. The amendments in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in H.R. 740 and H.R. 741, shall be considered as adopted. Measure will be considered read. Bill is closed to amendments. In the engrossment of H.R. 739, the Clerk shall add the texts of H.R. 740, H.R. 741, and H.R. 742, as passed by the House, as new matter at the end of H.R. 739, and then lay on the table H.R. 740, H.R. 741, and H.R. 742. If H.R. 739 is disposed of without reaching the stage of engrossment...
- **Apr 18, 2005:** Reported by the Committee on Education and the Workforce. H. Rept. 109-46.
- **Apr 18, 2005:** Reported by the Committee on Education and the Workforce. H. Rept. 109-46.
- **Apr 18, 2005:** Placed on the Union Calendar, Calendar No. 26.
- **Apr 13, 2005:** Committee Consideration and Mark-up Session Held.
- **Apr 13, 2005:** Ordered to be Reported by the Yeas and Nays: 27 - 19.
- **Feb 10, 2005:** Introduced in House
- **Feb 10, 2005:** Introduced in House
- **Feb 10, 2005:** Referred to the House Committee on Education and the Workforce.