

## HR 742

Occupational Safety and Health Small Employer Access to Justice Act of 2005

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Labor and Employment

**Introduced:** Feb 10, 2005

**Current Status:** Pursuant to the provisions of H. Res. 351, H.R. 742 is laid on the table.

**Latest Action:** Pursuant to the provisions of H. Res. 351, H.R. 742 is laid on the table. (Jul 12, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/742>

### Sponsor

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

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

### Cosponsors (24 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, David E. [D-NC-4]	D · NC		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. Price, Tom [R-GA-6]	R · GA		Apr 5, 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 28, 2005
Judiciary Committee	House	Reported By	May 20, 2005

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
109 HR 739	Related bill	<b>Jul 13, 2005:</b> Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
109 HR 740	Related bill	<b>Jul 12, 2005:</b> Pursuant to the provisions of H. Res. 351, H.R. 740 is laid on the table.
109 HR 741	Related bill	<b>Jul 12, 2005:</b> Pursuant to the provisions of H. Res. 351, H.R. 741 is laid on the table.
109 HRES 351	Related bill	<b>Jul 12, 2005:</b> Motion to reconsider laid on the table Agreed to without objection.

Summary (as of Jul 12, 2005)

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

Occupational Safety and Health Small Employer Access to Justice Act of 2005 - Amends the Occupational Safety and Health Act of 1970 (OSH Act) to provide for the award of attorney's fees and costs to certain small employers when they prevail in specified administrative or court proceedings.

Requires such awards to prevailing employers if they had not more than 100 employees and a net worth of not more than \$7 million at the time of: (1) the initiation of the administrative proceedings (in the case of an adversary adjudication); or (2) the filing of the action addressed in the court proceedings (in the case of judicial review of an administrative action).

Provides for such awards without regard to whether the position of the Secretary of Labor or the federal government was substantially justified or whether special circumstances make an award unjust.

## Actions Timeline

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- **Jul 12, 2005:** Rule H. Res. 351 passed House.
- **Jul 12, 2005:** Considered under the provisions of rule H. Res. 351. (consideration: CR H5698-5706)
- **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. 742.
- **Jul 12, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H5706)
- **Jul 12, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on H.R. 742, the Chair put the question on adoption of the bill and by voice vote, announced that the yeas had prevailed. Mr. Owens 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 H5708-5709)
- **Jul 12, 2005:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 235 - 187 (Roll no. 372).(text: CR H5698-5699)
- **Jul 12, 2005:** On passage Passed by the Yeas and Nays: 235 - 187 (Roll no. 372). (text: CR H5698-5699)
- **Jul 12, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 12, 2005:** Pursuant to the provisions of H. Res. 351, H.R. 742 is laid on the table.
- **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...
- **May 20, 2005:** Reported by the Committee on Judiciary. H. Rept. 109-61, Part II.
- **May 20, 2005:** Reported by the Committee on Judiciary. H. Rept. 109-61, Part II.
- **May 20, 2005:** Placed on the Union Calendar, Calendar No. 46.
- **May 18, 2005:** Committee Consideration and Mark-up Session Held.
- **May 18, 2005:** Ordered to be Reported by the Yeas and Nays: 18 - 11.
- **May 6, 2005:** House Committee on Judiciary Granted an extension for further consideration ending not later than May 20, 2005.
- **Apr 27, 2005:** Reported by the Committee on 109-61, Part I.
- **Apr 27, 2005:** Reported by the Committee on 109-61, Part I.
- **Apr 27, 2005:** Referred sequentially to the House Committee on the Judiciary for a period ending not later than May 6, 2005 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X.
- **Apr 13, 2005:** Committee Consideration and Mark-up Session Held.
- **Apr 13, 2005:** Ordered to be Reported by the Yeas and Nays: 27 - 18.
- **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.