HR 4041

Federal Consent Decree Fairness Act

Congress: 110 (2007–2009, Ended)
Chamber: House
Policy Area: Law
Introduced: Nov 1, 2007
Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Dec 3, 2007)
Official Text: https://www.congress.gov/bill/110th-congress/house-bill/4041

Sponsor

Name: Rep. Blunt, Roy [R-MO-7]
Party: Republican • **State:** MO • **Chamber:** Senate

Cosponsors (15 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Aderholt, Robert B. [R-AL-4]	R · AL		Nov 1, 2007
Rep. Akin, W. Todd [R-MO-2]	R · MO		Nov 1, 2007
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Nov 1, 2007
Rep. Cooper, Jim [D-TN-5]	D · TN		Nov 1, 2007
Rep. Davis, David [R-TN-1]	R · TN		Nov 1, 2007
Rep. Davis, Lincoln [D-TN-4]	D · TN		Nov 1, 2007
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Nov 1, 2007
Rep. Everett, Terry [R-AL-2]	R · AL		Nov 1, 2007
Rep. Gordon, Bart [D-TN-6]	D · TN		Nov 1, 2007
Rep. Paul, Ron [R-TX-14]	R · TX		Nov 1, 2007
Rep. Poe, Ted [R-TX-2]	R · TX		Nov 1, 2007
Rep. Smith, Lamar [R-TX-21]	R · TX		Nov 1, 2007
Rep. Tanner, John S. [D-TN-8]	D · TN		Nov 1, 2007
Rep. Wamp, Zach [R-TN-3]	R · TN		Nov 1, 2007
Rep. Bachus, Spencer [R-AL-6]	R · AL		Dec 12, 2007

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Dec 3, 2007

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
110 S 2289	Identical bill	**Nov 1, 2007:** Read twice and referred to the Committee on the Judiciary.

Summary (as of Nov 1, 2007)

Federal Consent Decree Fairness Act - Amends the federal judicial code to authorize any state or local government or related official (or successor) to file a motion to modify or terminate a federal 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 or state official, or a local government or local government official, is a party, the expiration of the term of office of the highest state or local government official who was a party to the consent decree; or (3) the date otherwise provided by law.

Places the burden of proof with respect to such motions on the party originally filing the action to demonstrate that the denial of the motion to modify or terminate a consent decree (or any part of it) is necessary to prevent the violation of a federal requirement that: (1) was actionable by such party; and (2) was addressed in the original consent decree.

Requires a court, within 30 days after the filing of a motion, to enter a scheduling order that: (1) limits the time of the parties to file motions and complete discovery; and (2) sets the date or dates of any necessary hearings.

Authorizes a court to stay the injunctive or prospective relief set forth in the consent decree if a party opposing the motion to modify or terminate it seeks any continuance or delay that prevents the court from entering a final ruling on the motion within 180 days of its filing.

Requires the Attorney General to report annually to Congress on all consent decrees in which the United States is a party that were entered four or more years before the date of the report.

Actions Timeline

- **Dec 3, 2007:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Nov 1, 2007:** Introduced in House
- **Nov 1, 2007:** Referred to the House Committee on the Judiciary.