

HR 4364

Citizen Participation Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Law

Introduced: Dec 16, 2009

Current Status: Referred to the Subcommittee on Courts and Competition Policy.

Latest Action: Referred to the Subcommittee on Courts and Competition Policy. (Apr 26, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/4364>

Sponsor

Name: Rep. Cohen, Steve [D-TN-9]

Party: Democratic • State: TN • Chamber: House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Mar 16, 2010
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Jun 17, 2010
Rep. Doyle, Michael F. [D-PA-14]	D · PA		Jul 30, 2010

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Apr 26, 2010

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Citizen Participation Act of 2009 - Declares that Strategic Lawsuits Against Public Participation (SLAPPs), filed against thousands of individuals, organizations, and businesses based upon their valid exercise of the rights to petition or free speech, are an abuse of the judicial process that waste judicial resources and clog the already over-burdened court dockets.

Declares immune from civil liability any act of petitioning the government made without knowledge of falsity or reckless disregard of falsity. Requires a plaintiff (especially in a SLAPP) to prove knowledge of falsity or reckless disregard of falsity by clear and convincing evidence.

Provides that any act in furtherance of the constitutional right of petition or free speech shall be entitled to the procedural protections provided in this Act.

Allows a party to file a special motion to dismiss any claim arising from an act or alleged act in furtherance of the constitutional right of petition or free speech within 45 days after service of the claim if the claim was filed in federal court or, if the claim was removed to federal court pursuant to this Act, within 15 days after removal.

Exempts from this Act: (1) certain procedural protections in any action brought solely on behalf of the public or solely to enforce an important right affecting the public interest; and (2) certain claims for relief involving commercial speech.

Actions Timeline

- **Apr 26, 2010:** Referred to the Subcommittee on Courts and Competition Policy.
- **Dec 16, 2009:** Introduced in House
- **Dec 16, 2009:** Referred to the House Committee on the Judiciary.