

## HR 4513

Job Creation Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Labor and Employment

**Introduced:** Jan 26, 2010

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

**Latest Action:** Referred to the Subcommittee on Courts and Competition Policy. (Jun 15, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/4513>

### Sponsor

**Name:** Rep. Buchanan, Vern [R-FL-13]

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

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Lance, Leonard [R-NJ-7]	R · NJ		Feb 23, 2010

### Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Referred To	Jan 26, 2010
Judiciary Committee	House	Referred to	Jun 15, 2010
Ways and Means Committee	House	Referred To	Jan 26, 2010

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

No related bills are listed.

Job Creation Act of 2010 - Amends the Internal Revenue Code to: (1) extend through 2010 the increased expensing allowance for depreciable business assets; (2) exclude from gross income in 2010 100% of the gain from the sale of small business stock; and (3) exclude from gross income in 2010 all unemployment compensation.

Amends the Emergency Economic Stabilization Act of 2008 (EESA) to require all amounts repaid under the Troubled Asset Relief Program (TARP) to reduce the program's purchase authority.

Amends Rule 11 of the Federal Rules of Civil Procedure (sanctions for filing a frivolous lawsuit) to: (1) require courts to award reasonable expenses, including attorney's fees, to a prevailing party in a Rule 11 proceeding (currently discretionary); and (2) eliminate the 21-day period allowed for withdrawing or correcting a claim deemed frivolous.

Requires state courts to apply Rule 11 to actions in state courts that substantially affect interstate commerce.

Limits venue for personal injury claims filed in state or federal courts to the county or district: (1) in which the plaintiff or defendant resides; (2) where the plaintiff resided at the time of the alleged injury; or (3) the district in which the defendant's principal place of business is located.

Imposes additional sanctions: (1) on attorneys who are found to violate Rule 11 three or more times; and (2) for willful and intentional destruction of documents relevant to a pending action in federal court. Establishes a rebuttable presumption of a Rule 11 violation if a plaintiff attempts to litigate a claim that has already been litigated and lost on the merits.

Prohibits a court in a Rule 11 proceeding from ordering the nondisclosure of the record of the proceeding unless the court makes a specific finding of fact that justifies such an order.

## **Actions Timeline**

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- **Jun 15, 2010:** Referred to the Subcommittee on Courts and Competition Policy.
- **Jan 27, 2010:** Sponsor introductory remarks on measure. (CR H390-391)
- **Jan 26, 2010:** Introduced in House
- **Jan 26, 2010:** Referred to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jan 26, 2010:** Referred to House Ways and Means
- **Jan 26, 2010:** Referred to House Financial Services
- **Jan 26, 2010:** Referred to House Judiciary