

HR 3041

Federal Consent Decree Fairness Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Law

Introduced: Sep 23, 2011

Current Status: Subcommittee Hearings Held.

Latest Action: Subcommittee Hearings Held. (Feb 3, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/3041>

Sponsor

Name: Rep. Cooper, Jim [D-TN-5]

Party: Democratic • **State:** TN • **Chamber:** House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Davis, Geoff [R-KY-4]	R · KY		Sep 23, 2011
Rep. Paul, Ron [R-TX-14]	R · TX		Sep 23, 2011
Rep. Smith, Lamar [R-TX-21]	R · TX		Sep 23, 2011

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Hearings By (subcommittee)	Feb 3, 2012

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

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 earliest of: (1) four years after the consent decree is originally entered; (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 date of the term of office of the highest state or local government official who is a party to the consent decree; or (3) a 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 was: (1) actionable by such party, and (2) addressed in the 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 after its filing.

Actions Timeline

- **Feb 3, 2012:** Subcommittee Hearings Held.
- **Oct 12, 2011:** Referred to the Subcommittee on Courts, Commercial and Administrative Law.
- **Sep 23, 2011:** Introduced in House
- **Sep 23, 2011:** Referred to the House Committee on the Judiciary.