

HR 592

Sunshine in Litigation Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Law

Introduced: Feb 9, 2011

Current Status: Referred to the Subcommittee on Courts, Commercial and Administrative Law.

Latest Action: Referred to the Subcommittee on Courts, Commercial and Administrative Law. (Feb 14, 2011)

Official Text: https://www.congress.gov/bill/112th-congress/house-bill/592

Sponsor

Name: Rep. Nadler, Jerrold [D-NY-8]

Party: Democratic • State: NY • Chamber: House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Deutch, Theodore E. [D-FL-19]	D · FL		Feb 9, 2012
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Feb 17, 2012
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Sep 14, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Feb 14, 2011

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
112 S 623	Related bill	Aug 2, 2011: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-45. Minority views filed.

Sunshine in Litigation Act of 2011 - Amends the federal judicial code to prohibit a court, in any civil action in which the pleadings state facts relevant to the protection of public health or safety, from entering an order restricting the disclosure of information obtained through discovery, approving a settlement agreement that would restrict such disclosure, or restricting access to court records, unless in connection with such order the court has first made independent findings of fact that: (1) the order would not restrict the disclosure of information relevant to the protection of public health or safety; or (2) the public interest in the disclosure of past, present, or potential health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information, and the requested protective order is no broader than necessary to protect the confidentiality interest asserted.

Prohibits a court, again in any such civil action, from: (1) enforcing any provision of an agreement between or among parties to the civil action, or an order entered under this Act, that restricts a party from disclosing information to any federal or state agency with authority to enforce laws regulating an activity relating to such information; or (2) enforcing any provision of a settlement agreement between or among parties to such civil action that prohibits a party from disclosing that a settlement was reached or the terms of the settlement (excluding any money paid) that involve matters relevant to the protection of public health or safety, or from discussing matters relevant to the protection of public health or safety involved in such civil action. Excepts from this enforcement prohibition (thus allowing enforcement of) a settlement agreement provision about which the court finds that the public interest in the disclosure of past, present, or potential public health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information in question, and the requested protective order is no broader than necessary to protect the confidentiality interest asserted.

Creates a rebuttable presumption that the interest in protecting personally identifiable information of an individual outweighs the public interest in disclosure.

Declares that nothing in this Act shall be construed to permit, require, or authorize the disclosure of classified information, as defined under the Classified Information Procedures Act.

Actions Timeline

- **Feb 14, 2011:** Referred to the Subcommittee on Courts, Commercial and Administrative Law.
- **Feb 9, 2011:** Introduced in House
- **Feb 9, 2011:** Referred to the House Committee on the Judiciary.