

S 2364

Sunshine in Litigation Act of 2014

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Law

Introduced: May 20, 2014

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (May 20, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/2364>

Sponsor

Name: Sen. Blumenthal, Richard [D-CT]

Party: Democratic • **State:** CT • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Graham, Lindsey [R-SC]	R · SC		May 20, 2014
Sen. Leahy, Patrick J. [D-VT]	D · VT		May 20, 2014
Sen. Markey, Edward J. [D-MA]	D · MA		May 20, 2014
Sen. Whitehouse, Sheldon [D-RI]	D · RI		May 20, 2014

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	May 20, 2014

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
113 HR 4361	Related bill	Apr 16, 2014: Referred to the Subcommittee on the Constitution and Civil Justice.

Sunshine in Litigation Act of 2014 - Amends the federal judicial code to prohibit a court, in any civil action in which the pleadings state facts relevant to protecting 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, subject to exceptions, unless 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 from approving any party's stipulation or request to stipulate to an order that would violate this Act.

Prohibits such a court from: (1) approving or enforcing any provision of an agreement between or among parties, or an order entered under this Act, to the extent that it restricts a party from disclosing information to any federal or state agency with authority to enforce laws regulating an activity relating to such information (requires such information disclosed to a federal or state agency to be confidential to the extent provided by law); or (2) enforcing any provision of a settlement agreement described under this Act 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, other than the amount paid, or from discussing the civil action, or evidence produced in it, that involves matters relevant to the protection of public health or safety. 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 health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information or records in question and that 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 relating to an individual's financial, health, or other similar information outweighs the public interest in disclosure.

Declares that nothing in this Act shall be construed to permit, require, or authorize the disclosure of, and no court shall be prohibited from restricting disclosure of or access to: (1) information classified under a secret Executive order concerning national defense or foreign policy, or (2) intelligence sources and methods.

Bars this Act from providing a basis for: (1) granting a motion to reconsider, modify, amend, or vacate a protective or settlement order entered before the effective date of this Act; or (2) reversing such an order retroactively on appeal.

Actions Timeline

- **May 20, 2014:** Introduced in Senate
- **May 20, 2014:** Read twice and referred to the Committee on the Judiciary.