

S 1045

Restoring the 10th Amendment Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Apr 22, 2015

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

Latest Action: Read twice and referred to the Committee on the Judiciary. (Apr 22, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/1045>

Sponsor

Name: Sen. Wicker, Roger F. [R-MS]

Party: Republican • **State:** MS • **Chamber:** Senate

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blunt, Roy [R-MO]	R · MO		Apr 22, 2015
Sen. Cochran, Thad [R-MS]	R · MS		Apr 22, 2015
Sen. Crapo, Mike [R-ID]	R · ID		Apr 22, 2015
Sen. Isakson, Johnny [R-GA]	R · GA		Apr 22, 2015
Sen. Perdue, David [R-GA]	R · GA		Apr 22, 2015
Sen. Risch, James E. [R-ID]	R · ID		Apr 22, 2015
Sen. Roberts, Pat [R-KS]	R · KS		Apr 22, 2015
Sen. Sessions, Jeff [R-AL]	R · AL		Apr 22, 2015

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Apr 22, 2015

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
114 HR 1935	Identical bill	May 15, 2015: Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.

Restoring the 10th Amendment Act

Authorizes a designated state official to submit to the head of a federal agency proposing a rule, during the period when the proposed rule is open for public comment, a legal brief challenging the constitutionality of the rule under the Tenth Amendment to the Constitution.

Directs the agency head: (1) to notify the designated official of each state within 15 days after such a brief was submitted; (2) to post prominently on the front page of the agency's website a link to the brief; and (3) within 15 days after posting such link, to certify in writing that such rulemaking does not violate the Tenth Amendment and post the certification prominently on the agency's website next to the briefs pertaining to the rule, unless the agency determines not to finalize such proposed rule.

Authorizes a designated state official, at any time after an agency head posts such a certification, to commence a civil action against the agency on the grounds that the rule violates the Tenth Amendment. Permits such state official, in addition to any other venue or jurisdiction provided by law, to bring such action in the U.S. district court for the district in which the official's place of business is located.

Directs the appropriate U.S. court of appeals, upon the filing of a notice by a designated state official, to grant expedited review of a decision by the district court in such an action.

Actions Timeline

- **Apr 22, 2015:** Introduced in Senate
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