

HR 2304

SPEAK FREE Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Law

Introduced: May 13, 2015

Current Status: Referred to the Subcommittee on the Constitution and Civil Justice.

Latest Action: Referred to the Subcommittee on the Constitution and Civil Justice. (Jun 1, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/2304>

Sponsor

Name: Rep. Farenthold, Blake [R-TX-27]

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

Cosponsors (32 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Eshoo, Anna G. [D-CA-18]	D · CA		May 13, 2015
Rep. Franks, Trent [R-AZ-8]	R · AZ		May 13, 2015
Rep. Issa, Darrell E. [R-CA-49]	R · CA		May 13, 2015
Rep. Polis, Jared [D-CO-2]	D · CO		May 13, 2015
Rep. Marino, Tom [R-PA-10]	R · PA		May 19, 2015
Rep. Forbes, J. Randy [R-VA-4]	R · VA		May 21, 2015
Rep. McGovern, James P. [D-MA-2]	D · MA		Jun 10, 2015
Rep. Huffman, Jared [D-CA-2]	D · CA		Jun 24, 2015
Rep. Peters, Scott H. [D-CA-52]	D · CA		Jul 8, 2015
Rep. Chu, Judy [D-CA-27]	D · CA		Jul 29, 2015
Rep. Crowley, Joseph [D-NY-14]	D · NY		Jul 29, 2015
Rep. Farr, Sam [D-CA-20]	D · CA		Jul 29, 2015
Rep. Garamendi, John [D-CA-3]	D · CA		Jul 29, 2015
Rep. Hahn, Janice [D-CA-44]	D · CA		Jul 29, 2015
Rep. Israel, Steve [D-NY-3]	D · NY		Jul 29, 2015
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Jul 29, 2015
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Jul 29, 2015
Rep. McNerney, Jerry [D-CA-9]	D · CA		Jul 29, 2015
Rep. Nolan, Richard M. [D-MN-8]	D · MN		Jul 29, 2015
Rep. Sánchez, Linda T. [D-CA-38]	D · CA		Jul 29, 2015
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Jul 29, 2015
Rep. Smith, Lamar [R-TX-21]	R · TX		Jul 29, 2015
Rep. Speier, Jackie [D-CA-14]	D · CA		Jul 29, 2015
Rep. Takano, Mark [D-CA-41]	D · CA		Jul 29, 2015
Rep. Thompson, Mike [D-CA-5]	D · CA		Jul 29, 2015
Rep. Buck, Ken [R-CO-4]	R · CO		Oct 6, 2015
Rep. Walters, Mimi [R-CA-45]	R · CA		Oct 6, 2015
Rep. Bishop, Mike [R-MI-8]	R · MI		Oct 20, 2015
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Dec 16, 2015
Rep. Honda, Michael M. [D-CA-17]	D · CA		Jan 12, 2016
Rep. Chaffetz, Jason [R-UT-3]	R · UT		Feb 25, 2016
Rep. Brat, Dave [R-VA-7]	R · VA		Apr 14, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jun 1, 2015

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Summary (as of May 13, 2015)

Securing Participation, Engagement, and Knowledge Freedom by Reducing Eggregious Efforts Act of 2015 or the SPEAK FREE Act of 2015

Amends the federal judicial code to allow a person against whom a lawsuit is asserted to file a special motion to dismiss claims referred to as strategic lawsuits against public participation ("SLAPP suits") that arise from an oral or written statement or other expression, or conduct in furtherance of such expression, by the defendant in connection with an official proceeding or about a matter of public concern.

Defines "matter of public concern" as an issue related to: (1) health or safety; (2) environmental, economic, or community well-being; (3) the government; (4) a public official or public figure; or (5) a good, product, or service in the marketplace.

Requires courts to grant such a special motion to dismiss if the party filing the motion makes a *prima facie* showing that the claim asserted against them is a SLAPP suit, unless the responding party demonstrates that the claim is likely to succeed on the merits.

Provides exceptions prohibiting courts from granting such a special motion to dismiss if the claim concerns:

- a government enforcement action,
- a business making representations of fact in commercial speech to consumers about its own or a business competitor's goods or services, or
- a public interest claim on behalf of the general public.

Allows dismissal of private suits, notwithstanding such commercial speech and public interest exceptions, if the claim is against:

- a person or entity engaged in activities to disseminate or express ideas to the public in a book or academic journal;
- any person or entity based upon statements or conduct concerning the creation, dissemination, exhibition, advertisement, or other promotion of journalistic, consumer commentary, dramatic, literary, musical, political, or artistic works, including motion pictures, television programs, or articles published online or in a newspaper or magazine of general circulation; or
- a nonprofit organization that receives more than 50% of annual revenue grants or awards from, programs of, or reimbursements for services rendered to the government.

Sets forth special procedural requirements for discovery and motions.

Requires courts to award litigation costs, expert witness fees, and reasonable attorney's fees to private parties that filed and prevailed on certain motions under this Act or to parties that responded to motions found to be frivolous.

Actions Timeline

- **Jun 1, 2015:** Referred to the Subcommittee on the Constitution and Civil Justice.
- **May 13, 2015:** Introduced in House
- **May 13, 2015:** Referred to the House Committee on the Judiciary.