

## HR 5341

Discouraging Frivolous Lawsuits Act

**Congress:** 116 (2019–2021, Ended)

**Chamber:** House

**Policy Area:** Environmental Protection

**Introduced:** Dec 6, 2019

**Current Status:** Referred to the Subcommittee on Water Resources and Environment.

**Latest Action:** Referred to the Subcommittee on Water Resources and Environment. (Dec 9, 2019)

**Official Text:** <https://www.congress.gov/bill/116th-congress/house-bill/5341>

### Sponsor

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**Name:** Rep. Rice, Tom [R-SC-7]

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

## Cosponsors (30 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Amodei, Mark E. [R-NV-2]	R · NV		Dec 6, 2019
Rep. Banks, Jim [R-IN-3]	R · IN		Dec 6, 2019
Rep. Brooks, Mo [R-AL-5]	R · AL		Dec 6, 2019
Rep. Budd, Ted [R-NC-13]	R · NC		Dec 6, 2019
Rep. Calvert, Ken [R-CA-42]	R · CA		Dec 6, 2019
Rep. Duncan, Jeff [R-SC-3]	R · SC		Dec 6, 2019
Rep. Flores, Bill [R-TX-17]	R · TX		Dec 6, 2019
Rep. Gianforte, Greg [R-MT-At Large]	R · MT		Dec 6, 2019
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Rep. Marchant, Kenny [R-TX-24]	R · TX		Dec 6, 2019
Rep. Meadows, Mark [R-NC-11]	R · NC		Dec 6, 2019
Rep. Mooney, Alexander X. [R-WV-2]	R · WV		Dec 6, 2019
Rep. Norman, Ralph [R-SC-5]	R · SC		Dec 6, 2019
Rep. Olson, Pete [R-TX-22]	R · TX		Dec 6, 2019
Rep. Palazzo, Steven M. [R-MS-4]	R · MS		Dec 6, 2019
Rep. Perry, Scott [R-PA-10]	R · PA		Dec 6, 2019
Rep. Rouzer, David [R-NC-7]	R · NC		Dec 6, 2019
Rep. Scott, Austin [R-GA-8]	R · GA		Dec 6, 2019
Rep. Smith, Adrian [R-NE-3]	R · NE		Dec 6, 2019
Rep. Stewart, Chris [R-UT-2]	R · UT		Dec 6, 2019
Rep. Thompson, Glenn [R-PA-15]	R · PA		Dec 6, 2019
Rep. Walorski, Jackie [R-IN-2]	R · IN		Dec 6, 2019
Rep. Weber, Randy K., Sr. [R-TX-14]	R · TX		Dec 6, 2019
Rep. Yoho, Ted S. [R-FL-3]	R · FL		Dec 6, 2019
Rep. Young, Don [R-AK-At Large]	R · AK		Dec 6, 2019

## Committee Activity

Committee	Chamber	Activity	Date
Transportation and Infrastructure Committee	House	Referred to	Dec 9, 2019

## Subjects & Policy Tags

### Policy Area:

Environmental Protection

## Related Bills

*No related bills are listed.*

## **Discouraging Frivolous Lawsuits Act**

This bill revises requirements concerning (1) citizen suits under the Clean Water Act, (2) permits for wetlands, and (3) wetland mitigation.

Litigation costs (including reasonable attorney and expert witness fees) must be awarded to the prevailing party, thus the bill removes a court's discretion to award the fees. A prevailing party is defined as the party that prevails on more than half of the claims at issue.

In addition, the bill repeals the authority of the Environmental Protection Agency (EPA) to deny or restrict the use of any area as a disposal site for dredged or fill material when the discharge of those materials would have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas, wildlife, or recreational areas.

Finally, the bill revises mitigation requirements. Current law requires compensatory mitigation to replace the loss of aquatic resource functions in a watershed when a permit to discharge dredged or fill materials into navigable waters has unavoidable impacts on aquatic resources. This bill prohibits government entities from carrying out compensatory mitigation in excess of existing regulatory requirements.

## **Actions Timeline**

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- **Dec 9, 2019:** Referred to the Subcommittee on Water Resources and Environment.
- **Dec 6, 2019:** Introduced in House
- **Dec 6, 2019:** Referred to the House Committee on Transportation and Infrastructure.