

## HR 1631

### Pro Codes Act

**Congress:** 118 (2023–2025, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Mar 17, 2023

**Current Status:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required)

**Latest Action:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 248 - 127 (Roll no. 357). (Jul 22, 2024)

**Official Text:** <https://www.congress.gov/bill/118th-congress/house-bill/1631>

### Sponsor

**Name:** Rep. Issa, Darrell E. [R-CA-48]

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

### Cosponsors (19 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Ross, Deborah K. [D-NC-2]	D · NC		Mar 17, 2023
Rep. Raskin, Jamie [D-MD-8]	D · MD		May 22, 2023
Rep. Nehls, Troy E. [R-TX-22]	R · TX		Jun 12, 2023
Rep. Titus, Dina [D-NV-1]	D · NV		Jun 12, 2023
Rep. Moran, Nathaniel [R-TX-1]	R · TX		Jun 23, 2023
Rep. Lieu, Ted [D-CA-36]	D · CA		Jul 11, 2023
Rep. Cline, Ben [R-VA-6]	R · VA		Jul 13, 2023
Rep. Neguse, Joe [D-CO-2]	D · CO		Jul 13, 2023
Rep. Fitzgerald, Scott [R-WI-5]	R · WI		Jul 17, 2023
Rep. Kiley, Kevin [R-CA-3]	R · CA		Jul 17, 2023
Rep. Moore, Barry [R-AL-2]	R · AL		Jul 18, 2023
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Jul 19, 2023
Rep. Caraveo, Yadira [D-CO-8]	D · CO		Sep 20, 2023
Rep. Yakym, Rudy [R-IN-2]	R · IN		Sep 28, 2023
Rep. LaLota, Nick [R-NY-1]	R · NY		Oct 17, 2023
Rep. Norcross, Donald [D-NJ-1]	D · NJ		Nov 2, 2023
Rep. Bentz, Cliff [R-OR-2]	R · OR		Mar 19, 2024
Rep. Bishop, Dan [R-NC-8]	R · NC		Mar 19, 2024
Rep. Gooden, Lance [R-TX-5]	R · TX		Mar 19, 2024

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported By	Jul 22, 2024

## Subjects & Policy Tags

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### Policy Area:

Commerce

### Related Bills

Bill	Relationship	Last Action
118 S 835	Identical bill	Mar 16, 2023: Read twice and referred to the Committee on the Judiciary.

### Summary (as of Jul 22, 2024)

#### Protecting and Enhancing Public Access to Codes Act or the Pro Codes Act

This bill addresses copyright protections for privately-developed technical standards that are incorporated into a law or regulation (e.g., a state law that requires buildings to comply with the electrical standards developed by a private standards development organization).

Currently, there is not a consensus as to whether a technical standard that has been incorporated by reference into a law retains copyright protection. (A technical standard created by a private organization is typically eligible for copyright protection, but some courts have ruled that standards incorporated into law lose their copyright protections for various reasons. For example, some courts have held that incorporated standards effectively became law and therefore entered the public domain.)

Under this bill, a technical standard shall retain its copyright protection even if it has been incorporated by reference into a law or regulation, if the applicable standards development organization makes the standard available on a free publicly accessible online source and in a format that facilitates the location of specific content.

If a party asserts that an incorporated technical standard has lost its copyright protection because it has not been made available for free online, the party making that assertion shall bear the burden of proof.

The bill also includes reporting requirements for the Copyright Office and the Government Accountability Office (GAO). The GAO must conduct several studies and report on the findings, including the potential impacts of the bill on consumers and historically disadvantaged communities.

## Actions Timeline

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- **Jul 22, 2024:** Reported (Amended) by the Committee on Judiciary. H. Rept. 118-601.
- **Jul 22, 2024:** Placed on the Union Calendar, Calendar No. 501.
- **Jul 22, 2024:** Mr. Issa moved to suspend the rules and pass the bill, as amended.
- **Jul 22, 2024:** Considered under suspension of the rules. (consideration: CR H4658-4665; text: CR H4658-4660)
- **Jul 22, 2024:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1631.
- **Jul 22, 2024:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jul 22, 2024:** Considered as unfinished business. (consideration: CR H4708)
- **Jul 22, 2024:** Failed of passage/not agreed to in House On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 248 - 127 (Roll no. 357).
- **Jul 22, 2024:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 248 - 127 (Roll no. 357).
- **Apr 17, 2024:** Committee Consideration and Mark-up Session Held
- **Apr 17, 2024:** Ordered to be Reported (Amended) by the Yeas and Nays: 19 - 4.
- **Apr 16, 2024:** Committee Consideration and Mark-up Session Held
- **Jul 19, 2023:** the motion to favorably report was withdrawn by unanimous consent
- **Jul 19, 2023:** Committee Consideration and Mark-up Session Held
- **Mar 17, 2023:** Introduced in House
- **Mar 17, 2023:** Referred to the House Committee on the Judiciary.