

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 725)
TO AMEND TITLE 28, UNITED STATES CODE, TO PRE-
VENT FRAUDULENT JOINDER

MARCH 7, 2017.—Referred to the House Calendar and ordered to be printed

Mr. BUCK, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 175]

The Committee on Rules, having had under consideration House Resolution 175, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 725, the Innocent Party Protection Act, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution makes in order only those amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the bill, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

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COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 29

Motion by Mr. McGovern make in order and provide the appropriate waivers to amendment # 3, offered by Rep. Barragán (CA) which creates an exception for cases arising under a State constitution or other law providing for expedited procedures for cases involving claims for personal injury or wrongful death. Defeated: 3–7

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Nay	Ms. Slaughter	Yea
Mr. Woodall	Nay	Mr. McGovern	Yea
Mr. Burgess .....	.....	Mr. Hastings of Florida	Yea
Mr. Collins	Nay	Mr. Polis .....	.....
Mr. Byrne	Nay		
Mr. Newhouse .....	.....	
Mr. Buck	Nay		
Ms. Cheney	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 30

Motion by Ms. Slaughter to report an open rule. Defeated: 3–7

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Nay	Ms. Slaughter	Yea
Mr. Woodall	Nay	Mr. McGovern	Yea
Mr. Burgess .....	.....	Mr. Hastings of Florida	Yea
Mr. Collins	Nay	Mr. Polis .....	.....
Mr. Byrne	Nay		
Mr. Newhouse .....	.....	
Mr. Buck	Nay		
Ms. Cheney	Nay		
Mr. Sessions, Chairman	Nay		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Soto (FL): Creates an exception for instances of public health risks, including byproducts of hydraulic fracturing, well stimulation, or any water contamination. (10 minutes)

2. Cartwright (PA): Creates a separate exception for plaintiffs seeking compensation resulting from the bad faith of an insurer. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOTO OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, line 10, strike “This” and insert “Except as otherwise provided in this subsection, this”.

Page 5, line 4, strike the close quotation mark and the period which follows.

Page 5, after line 4, insert the following:

“(5) This subsection does not apply with respect to a case in which the plaintiff seeks compensation for public health risks, including byproducts of hydraulic fracturing, well stimulation, or any water contamination.”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CARTWRIGHT OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 4, strike the close quotation mark and the period which follows.

Page 5, after line 4, insert the following:

“(5) This subsection shall not apply to a case in which the plaintiff seeks compensation resulting from the bad faith of an insurer.”.