

111TH CONGRESS  
2D SESSION

# H. R. 5895

To limit the effect of legal releases in certain civil actions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2010

Ms. WATERS (for herself, Mr. CONYERS, and Mr. JACKSON of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To limit the effect of legal releases in certain civil actions,  
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gulf Coast Oil Spill  
5 Legal Liabilities and Claims Act of 2010”.

6 **SEC. 2. LIMITATIONS ON EFFECT OF LEGAL RELEASES IN**  
7 **CERTAIN CIVIL ACTIONS.**

8 No settlement, legal release, or other agreement shall  
9 extinguish or limit liability in a civil action for significant  
10 harm arising from a discharge into waters off the shore

1 of the United States of a substance that contaminates a  
 2 marine or coastal environment or endangers public health,  
 3 if such settlement, legal release, or agreement is entered  
 4 into under coercion or duress or is entered into in ex-  
 5 change for any benefit other than a settlement of claims  
 6 pending.

7 **SEC. 3. AMENDMENT TO CLASS ACTION FAIRNESS ACT.**

8 Title 28, United States Code, is amended—

9 (1) in section 1711(2), by inserting “, but does  
 10 not include an action brought by a State or subdivi-  
 11 sion of a State on behalf of its citizens” before the  
 12 period;

13 (2) in section 1332(d)(1)(B), by inserting “,  
 14 but does not include an action brought by a State  
 15 or subdivision of a State on behalf of its citizens”  
 16 before the semicolon; and

17 (3) in section 1332(d)(11)(B)(ii)—

18 (A) by striking “or” at the end of sub-  
 19 clause (III);

20 (B) by striking the period at the end of  
 21 subclause (IV) and inserting “; or”; and

22 (C) by adding at the end the following:

23 “(V) the claims are made by a State or subdivi-  
 24 sion of a State on behalf of its citizens.”.

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