

113TH CONGRESS
1ST SESSION

H. R. 1831

To preserve the constitutional authority of Congress and ensure accountability and transparency in legislation.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2013

Mr. BENTIVOLIO introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To preserve the constitutional authority of Congress and ensure accountability and transparency in legislation.

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 “Read the Bills Act”.

5 **SEC. 2. TEXT OF BILL OR RESOLUTION TO SPECIFY ITS**

6 **CONSTITUTIONAL AUTHORITY AND SHOW EF-**

7 **FFECTS ON CURRENT LAW.**

8 Chapter 2 of title 1, United States Code, is amended

9 by inserting after section 105 the following:

1 **“§ 105a. Text of bill or resolution to specify its con-**
2 **stitutional authority**

3 “(a) REQUIREMENT.—

4 “(1) IN GENERAL.—Any bill or resolution intro-
5 duced in either House of Congress shall contain a
6 provision citing the specific powers granted to Con-
7 gress in the Constitution of the United States to
8 enact the proposed bill or resolution, including all
9 the provisions thereof.

10 “(2) FAILURE TO COMPLY.—Any bill or resolu-
11 tion not in compliance with subsection (a)(1) shall
12 not be accepted by the Clerk of the House of Rep-
13 resentatives or the Secretary of the Senate.

14 “(b) FLOOR CONSIDERATION.—

15 “(1) IN GENERAL.—The requirements of sub-
16 section (a)(1) shall apply to any bill or resolution
17 presented for consideration on the floor of either
18 House of Congress, including those bills or resolu-
19 tions reported from a committee of either House of
20 Congress, those consisting of a conference report to
21 accompany or bill or resolution, or those offered as
22 a manager’s amendment.

23 “(2) FAILURE TO COMPLY.—Any bill or resolu-
24 tion not complying with subsection (A)(1) shall not
25 be submitted for a vote on final passage.

1 “(b) FLOOR CONSIDERATION.—

2 “(1) IN GENERAL.—The requirements of sub-
3 section (a)(1) shall apply to all bills or resolutions
4 presented for consideration on the floor of either
5 House of Congress, including those reported from a
6 committee of either House of Congress, those con-
7 sisting of a conference report to accompany a bill or
8 resolution, or those offered as a manager’s amend-
9 ment.

10 “(2) FAILURE TO COMPLY.—Any bill or resolu-
11 tion not complying with this section shall not be sub-
12 mitted to a vote on final passage.

13 “(c) NO WAIVER OR MODIFICATION.—Neither House
14 of Congress, nor Congress jointly, by concurrent resolu-
15 tion, or by unanimous consent, or by any other order, reso-
16 lution, vote, or other means, may dispense with, or other-
17 wise waive or modify, the requirements set forth in this
18 section.

19 **“§ 105c. Text of amendment to set forth current bill**

20 “(a) REQUIREMENT.—

21 “(1) IN GENERAL.—Any amendment to a bill or
22 resolution introduced in either House of Congress
23 shall set forth the current section of the bill or reso-
24 lution as it would read as modified by the amend-

1 ments proposed, showing deleted text struck through
2 and inserted text underlined.

3 “(2) FAILURE TO COMPLY.—Any bill or resolu-
4 tion not complying with this subsection shall not be
5 accepted by the Clerk of the House of Representa-
6 tives or the Secretary of the Senate.

7 “(b) FLOOR CONSIDERATION.—

8 “(1) IN GENERAL.—The requirements of sub-
9 section (a)(1) shall apply to all bills or resolutions
10 presented for consideration on the floor of either
11 House of Congress, including those reported from a
12 committee of either House of Congress, those con-
13 sisting of a conference report to accompany a bill or
14 joint resolution, or those offered as a manager’s
15 amendment.

16 “(2) FAILURE TO COMPLY.—Any bill or resolu-
17 tion not complying with this section shall not be sub-
18 mitted to a vote on final passage.

19 “(c) NO WAIVER OR MODIFICATION.—Neither House
20 of Congress, nor Congress jointly, by concurrent resolu-
21 tion, or by unanimous consent, or by any other order, reso-
22 lution, vote, or other means, may dispense with, or other-
23 wise waive or modify, the requirements set forth in this
24 section.

1 **“§ 105d. Procedures prior to vote on bill or resolution**

2 “(a) IN GENERAL.—A vote on final passage of a bill
3 (except for private bills) or a resolution of a public char-
4 acter may not occur in either House of Congress, unless—

5 “(1) the full text of the bill or resolution, or
6 original language and all adopted amendments to
7 the same effect, is published at least 7 days before
8 the vote on the official public Internet site of the Of-
9 fice of the Clerk of the House of Representatives (in
10 the case of a bill or resolution in the House of Rep-
11 resentatives) or the Office of the Secretary of the
12 Senate (in the case of a bill or resolution in the Sen-
13 ate), easily available to and readily usable by the
14 public, using an open format that is platform inde-
15 pendent, machine readable, and available without re-
16 strictions respecting searching, retrieval,
17 downloading, and indexing, separate and apart from
18 the calendar of the Senate or the House of Rep-
19 resentatives; and

20 “(2) public notice of the specific calendar week
21 during which the vote is scheduled to take place is
22 posted on the official Internet website described in
23 paragraph (1) not less than 6 days before the Mon-
24 day of the calendar week during which the vote is
25 scheduled to take place, with failure to take the vote
26 during the noticed week requiring a new notice.

1 “(b) ROLL CALL.—No vote on final passage of a bill
2 (except for private bills) or resolution may occur in either
3 House of Congress unless taken by roll call.

4 “(c) JOURNAL.—With respect to each vote on final
5 passage of a bill (except for a private bill) or resolution,
6 each House of Congress shall cause to be recorded in the
7 journal of its proceedings that the applicable publishing,
8 notice, and reading requirements under this section have
9 been met.

10 “(d) NO WAIVER OR MODIFICATION.—Neither House
11 of Congress, nor Congress jointly, by concurrent resolu-
12 tion, or by unanimous consent, or by any other order, reso-
13 lution, vote, or other means, may dispense with, or other-
14 wise waive or modify, the requirements set forth in this
15 section.

16 “(e) EXCEPTION FOR DECLARATIONS OF WAR.—
17 This section shall not apply with respect to any bill or
18 resolution which constitutes a declaration of war.

19 **“§ 105e. Enforcement**

20 “(a) IN GENERAL.—An Act of Congress that does
21 not comply with sections 105a, 105b, 105c, or 105d shall
22 have no force or effect and no legal, equitable, regulatory,
23 civil, or criminal action may be brought under such an
24 Act of Congress.

1 “(b) CAUSE OF ACTION.—Without regard to the
2 amount in controversy, a cause of action under sections
3 2201 and 2202 of title 28, United States Code, against
4 the United States seeking appropriate relief (including an
5 injunction against enforcement of any law the passage of
6 which did not conform to the requirements of sections
7 105a, 105b, 105c, or 105d) may be brought by—

8 “(1) any person aggrieved by any action of any
9 officer or employee of the Federal Government
10 under any Act of Congress that does not comply
11 with sections 105a, 105b, 105c, or 105d; and

12 “(2) any Member of Congress aggrieved by the
13 failure of the House of Congress of which the Mem-
14 ber is a Member to comply with sections 105a, 105b,
15 105c, or 105d.”.

16 **SEC. 3. SEVERABILITY.**

17 If any provision of this Act or an amendment made
18 by this Act, or the application of a provision or amend-
19 ment to any person or circumstance, is held to be invalid
20 for any reason in any court of competent jurisdiction, the
21 remainder of this Act and amendments made by this Act,
22 and the application of the provisions and amendment to
23 any other person or circumstance, shall not be affected.

1 **SEC. 4. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act shall
3 apply with respect to bills and resolutions introduced or
4 considered during the One Hundred Fourteenth Congress
5 or any succeeding Congress.

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