

115TH CONGRESS
2D SESSION

S. 3249

To amend title 28, United States Code, to modify the amount in controversy requirement and remove the complete diversity requirement.

IN THE SENATE OF THE UNITED STATES

JULY 19, 2018

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to modify the amount in controversy requirement and remove the complete diversity requirement.

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 “Federal Courts Access
5 Act of 2018”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are to—

8 (1) assure fairer and more efficient civil litiga-
9 tion and prompt recoveries for claimants and de-
10 fendants;

1 (C) by redesignating paragraphs (5)
2 through (10) as paragraphs (3) through (8), re-
3 spectively;

4 (D) in paragraph (3), as so redesignated,
5 by striking “Paragraphs (2) through (4)” and
6 inserting “Paragraph (2)”;

7 (E) in paragraph (4), as so redesignated,
8 by striking “\$5,000,000” and inserting
9 “\$125,000”;

10 (F) in paragraph (5), as so redesignated,
11 by striking “(2) through (6)” and inserting
12 “(2) through (4)”;

13 (G) in paragraph (7)(A), as so redesi-
14 gnated—

15 (i) by inserting “section” after “de-
16 fined under”; and

17 (ii) by striking “(15 U.S.C.
18 78p(f)(3))” and inserting “(15 U.S.C.
19 77p(f)(3))”; and

20 (H) by striking paragraph (11).

21 (b) REMOVAL OF CIVIL ACTIONS.—

22 (1) IN GENERAL.—Section 1441(b)(2) of title
23 28, United States Code, is amended—

24 (A) by striking “if any” and inserting “if
25 all”; and

1 (B) by striking “is a citizen” and inserting
2 “are citizens”.

3 (2) PROCEDURE FOR REMOVAL OF CIVIL AC-
4 TIONS.—Section 1446 of title 28, United States
5 Code, is amended—

6 (A) in subsection (c)—

7 (i) by striking “(1) A case” and all
8 that follows through “(2) If” and inserting
9 “(1) If”;

10 (ii) by redesignating paragraph (3) as
11 paragraph (2); and

12 (iii) in paragraph (2), as so redesign-
13 nated—

14 (I) by striking “(A) If” and in-
15 serting “If”; and

16 (II) by striking subparagraph
17 (B); and

18 (B) by redesignating subsection (g) as sub-
19 section (f).

20 (3) REMOVAL OF CLASS ACTIONS.—Section
21 1453 of title 28, United States Code, is amended by
22 striking subsection (b) and inserting the following:

23 “(b) REMOVAL GENERALLY.—A class action may be
24 removed to a district court of the United States in accord-
25 ance with section 1446, except that such action may be

1 removed by any defendant without the consent of all de-
2 fendants.”.

○