



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

H.R. 4003, the “Regulatory Reporting Act of 2015”

Actions:

11/16/2015:

Referred to the House Committee on the Judiciary.

11/18/2015:

Committee Consideration and Mark-up Session Held.

11/18/2015:

Ordered to be Reported by Voice Vote.

This bill requires that the head of each Federal agency in communication with the Attorney General must submit a report that lists all rules of the agency that if violated may result in criminal penalties to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate. The report should include, for each rule, a reason why the penalties are necessary based on why civil penalties are inadequate to deter the regulated behavior, what mens rea or criminal intent is required for criminal liability coming from a violation of the rule, what notice is provided to persons subject to the rule that a violation of the rule may result in criminal penalties, if the rule applies to all persons, including natural persons as well as corporations and other business associations and if a violation of the rule is likely to result in any of the following (and if so, how); substantial bodily injury or death to another person, property damage or destruction, harm to public safety, harm to national security or fraud against the United States. Therefore if a rule is violated the offender will receive criminal punishments where they actually have to serve time in jail or pay a fine to the government. It was determined that a civil penalty such as reimbursing the accused would do nothing to deter further behavior.