

112TH CONGRESS
2^D SESSION

H. R. 4022

To amend title 28, United States Code, to protect the right of a claimant in a civil action before a Federal court to retain a structured settlement broker to negotiate the terms of payment of an award, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2012

Mr. HIGGINS (for himself, Ms. HOCHUL, and Mr. BRALEY of Iowa) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to protect the right of a claimant in a civil action before a Federal court to retain a structured settlement broker to negotiate the terms of payment of an award, 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 “Structured Settlement
5 Claimants Rights Act of 2012”.

1 **SEC. 2. IN GENERAL.**

2 (a) FEDERAL COURT PROCEEDINGS.—Chapter 111
3 of title 28, United States Code, is amended by adding at
4 the end the following:

5 **“§ 1660. Right to retain structured settlement broker**

6 “A claimant in any civil action before a Federal court
7 shall have the right to retain a structured settlement
8 broker to act on behalf of that claimant for purposes of
9 negotiating a schedule of payments or other terms of pay-
10 ment of a sum certain previously agreed to paid by or on
11 behalf of the defendant in satisfaction of a judgment
12 against that defendant or in accordance with the terms
13 of a settlement. The court shall inform the claimant of
14 this right at the appropriate time. The defendant shall
15 provide timely notice of any professional relationship be-
16 tween the defendant and the broker if any such relation-
17 ship exists or has existed.”.

18 (b) ADMINISTRATIVE PROCEEDINGS.—Section 554 of
19 title 5, United States Code, is amended by adding at the
20 end the following:

21 “(f) In the case of any proceeding under this section,
22 a party to that proceeding shall have the right to retain
23 a structured settlement broker to act on behalf of that
24 party for purposes of negotiating a schedule of payments
25 or other terms of payment of a sum certain previously
26 agreed to paid by or on behalf of another party in satisfac-

1 tion of a decision against that party or in accordance with
2 the terms of a settlement between the parties. The agency
3 shall inform the claimant of this right at the appropriate
4 time. The defendant shall provide timely notice of any pro-
5 fessional relationship between the defendant and the
6 broker if any such relationship exists or has existed.”.

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