

S. 1787, State Antitrust Enforcement Venue Act of 2021

As reported by the Senate Committee on the Judiciary on February 3, 2022

By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	1	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

Under current law, antitrust suits that are filed in more than one federal court district may be transferred and consolidated in a single venue at the request of a litigant or the initiative of judiciary officials. Antitrust suits brought by federal law enforcement agencies are exempt.

S. 1787 would exempt from transfer and consolidation antitrust cases brought by state attorneys general, allowing those cases to remain in the court district in which they were filed. Over the 2016-2020 period, state attorneys general brought, on average, 10 antitrust suits per year in federal courts; few, if any, were consolidated.

Using information from the Administrative Office of the U.S. Courts (AOUSC) and the Department of Justice, CBO anticipates that although some cases affected by the bill might be resolved more quickly if they remained in their original venues, in many cases, the total workload for judiciary staff members would increase if related suits were not consolidated. Using information from the AOUSC, CBO estimates that, on balance, administrative costs for the judiciary would increase by a total of \$1 million over the 2022-2026 period. Such spending would be subject to the availability of appropriated funds.

CBO's estimate is subject to significant uncertainty concerning the number of antitrust cases that state attorneys general would file each year, how many cases would be consolidated in the absence of the legislation, and how staff workload would be affected for each case.

On February 15, 2022, CBO transmitted a cost estimate for [H.R. 3460](#), the State Antitrust Enforcement Venue Act of 2021, as ordered reported by House Committee on the Judiciary on June 24, 2021. The two pieces of legislation are similar, and the estimated budgetary effects are the same for both bills.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.