

A BILL TO BE ENTITLED

AN ACT

relating to registration of arbitrators and arbitration services providers with the secretary of state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Civil Practice and Remedies Code, is amended by adding Chapter 180 to read as follows:

CHAPTER 180. REGISTRATION OF ARBITRATORS AND ARBITRATION SERVICES PROVIDERS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 180.001. DEFINITIONS. In this chapter:

(1) "Arbitration services provider" means a person that holds itself out as:

(A) managing, coordinating, or administering arbitrations;

(B) providing the services of arbitrators;

(C) making referrals or appointments to arbitrators; or

(D) providing lists of arbitrators.

(2) "Arbitrator" means a neutral individual, including a member of a panel of neutral individuals, who hears the claims of the parties to a dispute and renders a decision and who is:

(A) chosen by the parties to the dispute;

(B) appointed by a court; or

1 (C) selected by an arbitration services provider
2 under an agreement of the parties or applicable rules.

3 Sec. 180.002. APPLICABILITY. The requirements of this
4 chapter supplement, in any arbitration held in this state, the
5 arbitration law of this state and any other state and the Federal
6 Arbitration Act (9 U.S.C. Sections 1-16) and apply to any
7 arbitration subject to those laws.

8 [Sections 180.003-180.050 reserved for expansion]

9 SUBCHAPTER B. REGISTRATION WITH SECRETARY OF STATE

10 Sec. 180.051. REGISTRATION REQUIREMENTS; PUBLIC
11 INFORMATION. (a) Each arbitrator or arbitration services provider
12 shall register annually with the office of the secretary of state
13 in the format required by the secretary of state, providing the
14 arbitrator or arbitration services provider's name, mailing
15 address, and phone number. The arbitrator or arbitration services
16 provider shall submit a \$10 fee with the initial registration
17 submitted under this subsection.

18 (b) The secretary of state shall maintain an updated list of
19 arbitrators and arbitration services providers and make the list
20 available to the public.

21 Sec. 180.052. INELIGIBILITY TO CONDUCT OR ADMINISTER
22 ARBITRATION. An arbitrator or arbitration services provider who is
23 not registered with the office of the secretary of state as required
24 by Section 180.051 is ineligible to conduct or administer a
25 court-ordered arbitration.

26 SECTION 2. (a) For the purposes of this section, the date an
27 arbitration is commenced is the date an arbitrator, as defined by

1 Section 180.001, Civil Practice and Remedies Code, as added by this
2 Act, is selected or appointed.

3 (b) This Act takes effect September 1, 2003, and applies
4 only to an arbitration commenced on or after January 1, 2004. An
5 arbitration commenced before January 1, 2004, is governed by the
6 law applicable to arbitrations immediately before January 1, 2004,
7 and that law is continued in effect for that purpose.