

By: Elkins

H.B. No. 1083

A BILL TO BE ENTITLED

AN ACT

relating to mediation orders in certain arbitration proceedings.

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

SECTION 1. Section 154.021, Civil Practice and Remedies Code, is amended by adding Subsection (c) to read as follows:

(c) Except as provided by agreement of the parties, a court may not order mediation in an action that is subject to the Federal Arbitration Act (9 U.S.C. Sections 1-16).

SECTION 2. The change in law made by this Act applies only to an action that is commenced on or after the effective date of this Act. An action that is commenced before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.