

## **BILL ANALYSIS**

Senate Research Center

S.B. 1271  
By: Duncan  
State Affairs  
8/25/2011  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 1271 is designed to remedy the discrepancy between the statutory scope of county alternative dispute resolution centers (DRCs) under Chapter 152 (Alternative Dispute Resolution System Established by Counties), Civil Practice and Remedies Code, and what DRCs currently do. Though the Civil Practice and Remedies Code states that DRCs are designed to resolve disputes among individuals (citizen disputes), many DRCs handle cases involving companies and units of government. Moreover, many DRCs handle matters of a pseudo-criminal nature, referred by a judge, police department, or district attorney. These are typically cases that will not result in any charges being filed because there is not enough material for the prosecutor to assemble a case.

S.B. 1271 amends current law relating to alternative dispute resolution systems established by counties.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 152.001, Civil Practice and Remedies Code, to redefine "alternative dispute resolution system."

SECTION 2. Amends Section 152.002(a), Civil Practice and Remedies Code, to authorize the commissioners court of a county by order to establish an alternative dispute resolution system for the peaceable and expeditious resolution of disputes, rather than citizen disputes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2011.