

## **BILL ANALYSIS**

C.S.S.B. 1271  
By: Duncan  
Judiciary & Civil Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that there is a discrepancy between the statutory scope of county alternative dispute resolution systems and what the systems currently do. The parties note that state law provides that the systems are designed to resolve citizen disputes, which are disputes among individuals, but that many systems handle cases involving companies and units of government. C.S.S.B. 1271 addresses matters relating to alternative dispute resolution systems established by counties.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.S.B. 1271 amends the Civil Practices and Remedies Code, in a provision authorizing the commissioners court of a county by order to establish an alternative dispute resolution system, specifies that the system is for the peaceable and expeditious resolution of disputes, rather than for the peaceful and expeditious resolution of citizen disputes. The bill redefines "alternative dispute resolution system."

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.S.B. 1271 omits a provision included in the original relating to the referral of cases to an alternative dispute resolution system.