

1-1 By: Duncan S.B. No. 1271
1-2 (In the Senate - Filed March 8, 2011; March 16, 2011, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 11, 2011, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 11, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to alternative dispute resolution systems established by
1-9 counties.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 152.001, Civil Practice and Remedies
1-12 Code, is amended to read as follows:

1-13 Sec. 152.001. DEFINITION. In this chapter, "alternative
1-14 dispute resolution system" means an informal forum in which
1-15 mediation, conciliation, or arbitration is used to resolve disputes
1-16 among individuals, entities, and units of government, including
1-17 those having an ongoing relationship such as relatives, neighbors,
1-18 landlords and tenants, employees and employers, and merchants and
1-19 consumers.

1-20 SECTION 2. Subsection (a), Section 152.002, Civil Practice
1-21 and Remedies Code, is amended to read as follows:

1-22 (a) The commissioners court of a county by order may
1-23 establish an alternative dispute resolution system for the
1-24 peaceable and expeditious resolution of ~~[citizen]~~ disputes.

1-25 SECTION 3. Section 152.003, Civil Practice and Remedies
1-26 Code, is amended to read as follows:

1-27 Sec. 152.003. REFERRAL OF CASES. A judge of a district
1-28 court, county court, statutory county court, probate court, or
1-29 justice of the peace court in a county in which an alternative
1-30 dispute resolution system has been established may, on motion of a
1-31 party or on the judge's or justice's own motion, refer a civil or, on
1-32 the written consent of the state, a criminal case to the system.
1-33 Referral under this section does not prejudice the case.

1-34 SECTION 4. The changes in law made by this Act apply only to
1-35 a case referred to a county alternative dispute resolution system
1-36 on or after the effective date of this Act. A case referred before
1-37 the effective date of this Act is governed by the law in effect when
1-38 the case is referred, and the former law is continued in effect for
1-39 that purpose.

1-40 SECTION 5. This Act takes effect immediately if it receives
1-41 a vote of two-thirds of all the members elected to each house, as
1-42 provided by Section 39, Article III, Texas Constitution. If this
1-43 Act does not receive the vote necessary for immediate effect, this
1-44 Act takes effect September 1, 2011.

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