By:  J. Johnson of Dallas

H.B. No. 2375

A BILL TO BE ENTITLED

1      AN ACT

2   relating to the enforcement of certain arbitration agreements.

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

4        SECTION 1.  Subchapter B, Chapter 171, Civil Practice and

5   Remedies Code, is amended by adding Section 171.0221 to read as

6   follows:

7        Sec. 171.0221.  CERTAIN        ARBITRATION        AGREEMENTS

8   UNENFORCEABLE.  (a) In this section:

9            (1)  "Antitrust  dispute"  means  a  dispute  involving  a

10  claim for damages caused by a violation of an antitrust law in which

11  plaintiffs seek certification as a class.

12           (2)  "Civil rights dispute" means a dispute regarding a

13  violation of the United States Constitution, the constitution of

14  this state, or a statute that prohibits discrimination on the basis

15  of race, sex, disability, religion, or national origin in which a

16  party alleging a violation is an individual.

17           (3)  "Consumer  dispute"  means  a  dispute  between  an

18  individual  who  seeks  or  acquires  real  or  personal  property,

19  services,  securities  or  other  investments,  money,  or  credit  for

20  personal, family, or household purposes and a seller or provider of

21  the property, services, investments, money, or credit.

22           (4)  "Employment  dispute"  means  a  dispute  between  an

23  employer and an employee.

24           (b)  A court may not enforce an agreement to arbitrate a

1  dispute that had not yet arisen at the time the agreement was made

2  if the agreement would require arbitration of an employment

3  dispute, consumer dispute, antitrust dispute, or civil rights

4  dispute or would have the effect of waiving the right of an employee

5  to seek judicial enforcement of a right arising under federal or

6  state law.

7      (c)  This section does not apply to an agreement to arbitrate

8  between an employer and a labor union or between labor unions.

9      SECTION 2.  This Act applies only to an agreement to

10 arbitrate entered into on or after the effective date of this Act.

11     SECTION 3.  This Act takes effect September 1, 2019.