

2016 Regular Session

SENATE BILL NO. 451

BY SENATOR WARD

COURTS. Provides relative to judicial treatment of certain arbitration awards. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 9:4276(A)(2), relative to arbitration; to provide certain terms,
3 conditions, exceptions, requirements, definitions, and procedures; to provide that the
4 recognition or enforcement of an arbitral award may be refused if the award is
5 contrary to law; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:4276(A)(2) is hereby amended and reenacted to read as follows:

8 §4276. Grounds for refusing recognition or enforcement

9 A. Recognition or enforcement of an arbitral award, irrespective of the
10 country in which it was made, may be refused only:

11 * * *

12 (2) If the court finds ~~that~~ **any of the following**:

13 (a) ~~The~~ **That the** subject matter of the dispute is not capable of settlement by
14 arbitration under the law of this state; ~~or.~~

15 (b) ~~The~~ **That the** recognition or enforcement of the award would be contrary
16 to the public policy of this state.

17 (c) **That the arbitration award is contrary to law.**

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ben Huxen.

DIGEST

SB 451 Reengrossed 2016 Regular Session Ward

Proposed law relative to arbitration provides that the recognition or enforcement of an arbitral award may be refused if the award is contrary to law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 9:4276(A)(2))