SLS 16RS-1095

ENGROSSED

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 |
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| 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: |
| 13 | (a) The subject matter of the dispute is not capable of settlement by |
| 14 | arbitration under the law of this state; or |
| 15 | (b) The recognition or enforcement of the award would be contrary to the |
| 16 | public policy of this state- <u>; or</u> |
| 17 | (c) That the arbitration award is contrary to law. |
| | |

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions. 1

| 2 | Section 2. This Act shall become effective upon signature by the governor or, if not | |
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| 3 | signed by the governor, upon expiration of the time for bills to become law without signature | |
| 4 | by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If | |
| 5 | vetoed by the governor and subsequently approved by the legislature, this Act shall become | |
| 6 | effective on the day following such approval. | |
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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ben Huxen.

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| | DIGEST | |
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| SB 451 Engrossed | 2016 Regular Session | Ward |

<u>Proposed law</u> 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))