

April 2, 2003

S 716. REVISED UNIFORM ARBITRATION ACT. TO REPEAL THE UNIFORM ARBITRATION ACT AND TO ENACT THE REVISED UNIFORM ARBITRATION ACT. Repeals Art. 45A of GS Ch. 1 and replaces it with Art. 45C. New article governs agreement to arbitrate: (1) made on or after Jan. 1, 2004; (2) made before that date if all parties to agreement so agree; and (3) as of Jan. 1, 2006, to all agreements whenever made. Specifies nonwaivable portions of article, procedure to apply for judicial relief, validity of agreements, and provisions for motions to compel arbitration. Provides for process for initiation of arbitration, consolidation of arbitration proceedings, and appointment of arbitrator. Requires disclosure by arbitrator to all parties of facts likely to affect impartiality. Sets arbitration process, including provisions for representation by counsel, witnesses, subpoenas, depositions, and discovery. Requires record and notice of award and provisions for change of an award. Allows award of punitive damages, reasonable attorney's fees, arbitrator's expenses and fees. Sets standards for judicial vacation, modification, or correction of award. Sets jurisdiction and venue of courts for matters involving arbitration agreements. Act not to affect action or proceeding that commences or accrues prior to effective date. Effective Jan. 1, 2004, and repeal of previous article effective Jan. 1, 2006.

Intro. by Hartsell.

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| Ref. to Judiciary II | GS 1 |
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April 24, 2003

S 716. REVISED UNIFORM ARBITRATION ACT. Intro. 4/2/03. Senate committee substitute makes the following changes to 1st edition. Original bill provided that, after Jan. 1, 2006, new article was to apply to all agreements to arbitrate, whenever made; that provision was deleted, so that new article applies to agreements to arbitrate entered into before Jan. 1, 2004, only if all parties to agreement or to arbitration procedure so agree. Permits arbitrator to award punitive damages or attorneys fees only if arbitration agreement so provides.

June 25, 2003

S 716. REVISED UNIFORM ARBITRATION ACT. Intro. 4/2/03. House committee substitute makes the following changes to 2nd edition. Amends list of specific nonwaivable sections of act. Makes conforming amendment to GS 1-567.64. Provides that Act applies to all agreements to arbitrate made on or after Jan. 1, 2004, but applies to agreements made before that date only if all parties agree in a record that Act applies. Makes technical corrections.

August 4, 2003

SL 2003-345 (S 716). REVISED UNIFORM ARBITRATION ACT. AN ACT TO REPEAL THE UNIFORM ARBITRATION ACT AND TO ENACT THE REVISED UNIFORM ARBITRATION ACT. Summarized in *Daily Bulletin* 4/2/03, 4/24/03, and 6/25/03. Enacted July 27, 2003. Effective January 1, 2004, and applies to agreements to arbitrate made on or after that date. Agreements to arbitrate made before January 1, 2004, shall be governed by Article 45A of Chapter 1 of the General Statutes, subject to the provisions of GS 1-569.3(b) as enacted in this act.