

THE HOUSE OF REPRESENTATIVES
Monday, February 23, 2009

House Bill No. 1035

HOUSE BILL NO. 1035 - By: JORDAN of the House and NEWBERRY of the Senate.

An Act relating to arbitration; amending Section 20, Chapter 364, O.S.L. 2005 (12 O.S. Supp. 2008, Section 1870), which relates to the record, notice and timing of an award; deleting requirement that arbitrator support decision by rendering certain findings; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY Section 20, Chapter 364, O.S.L. 2005 (12 O.S.
2 Supp. 2008, Section 1870), is amended to read as follows:

3 Section 1870. A. An arbitrator shall make a record of an award. The award may,
4 or may not, contain the evidence and conclusion upon which the award was based unless
5 the ~~parties~~ agreement of the parties specifies the type of award to be issued. The record
6 shall be signed or otherwise authenticated by any arbitrator who concurs with the award.
7 The arbitrator or the arbitration organization shall give notice of the award, including a
8 copy of the award, to each party to the arbitration proceeding.

9 B. An award shall be made within the time specified by the agreement to arbitrate
10 or, if not specified therein, within the time ordered by the court. The court may extend or
11 the parties to the arbitration proceeding may agree in a record to extend the time. The
12 court or the parties may do so within or after the time specified or ordered. A party

1 waives any objection that an award was not timely made unless the party gives notice of
2 the objection to the arbitrator before receiving notice of the award.

3 ~~C. Upon rendering a final decision on the merits of a case, the arbitrator shall~~
4 ~~support his or her decision by likewise rendering findings of fact and conclusions of law.~~

5 SECTION 2. This act shall become effective November 1, 2009.

6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02-19-09 - DO PASS,
7 As Coauthored.