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SB-365 Civil procedure: arbitration. (2023-2024)

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Senate Bill No. 365

CHAPTER 710

An act to amend Section 1294 of the Code of Civil Procedure, relating to civil procedure.

[Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 365, Wiener. Civil procedure: arbitration.

Existing law authorizes a party to appeal, among other things, an order dismissing or denying a petition to compel arbitration. Existing law generally stays proceedings in the trial court on the judgment or order appealed from when the appeal is perfected, subject to specified exceptions.

This bill would provide that, notwithstanding the general rule described above, trial court proceedings would not be automatically stayed during the pendency of an appeal of an order dismissing or denying a petition to compel arbitration.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1294 of the Code of Civil Procedure is amended to read:

1294. An aggrieved party may appeal from:

- (a) An order dismissing or denying a petition to compel arbitration. Notwithstanding Section 916, the perfecting of such an appeal shall not automatically stay any proceedings in the trial court during the pendency of the appeal.
- (b) An order dismissing a petition to confirm, correct or vacate an award.
- (c) An order vacating an award unless a rehearing in arbitration is ordered.
- (d) A judgment entered pursuant to this title.
- (e) A special order after final judgment.