

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 371

SHORT TITLE: International Commercial Conciliation

SPONSOR(S): Senator Fountain Odom

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 1997-98</u>	<u>FY 1998-99</u>	<u>FY 1999-00</u>	<u>FY 2000-01</u>	<u>FY 2001-02</u>
REVENUES					
EXPENDITURES	No Fiscal Impact				
POSITIONS:					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:					
EFFECTIVE DATE: September 1, 1997					

BILL SUMMARY: Adds new Part 3 to Art. 45B of GS Ch. 1, providing for conciliation of international commercial disputes. Permits parties to select conciliators or allow their selection by arbitral tribunal. Sets out responsibilities of conciliators; permits conciliators to propose agreements for parties. Provides that parties' agreement to submit dispute to conciliation stays all judicial and arbitral proceedings between parties and tolls applicable limitation periods. Provides that written conciliation agreement is enforceable in same manner as an arbitral award. Provides for payment of conciliators' costs. Makes conciliators, parties, or their representatives immune from service of process on any civil matter related to conciliation while in state for conciliation. Gives conciliators immunity from damages for acts or omissions arising in performance of conciliation. ¹

ASSUMPTIONS AND METHODOLOGY: The Research and Planning Division of the Administrative Office of the Courts does not consider the addition of "conciliation" to numerous sections of Article 45B, GS Chapter 1 an addition material enough to expect additional expenditure requirements to occur in the state court system. The number of cases affected

¹ Institute of Government, **Daily Bulletin**, 1977 Edition

cannot be estimated, although there is a "...relatively small pool of potential cases –international commercial disputes..." There is therefore no additional fiscal impact.

TECHNICAL CONSIDERATIONS: none
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DATE: April 2, 1997



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