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SENATE BILL NO. 620

Offered January 10, 2018

Prefiled January 10, 2018

A BILL to amend and reenact § 8.01-581.016 of the Code of Virginia, relating to denial of motion to compel arbitration; appeal.

Patron—Surovell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-581.016 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-581.016. Appeals.

A. An appeal may be taken from:

1. An order denying an application to compel arbitration made under § 8.01-581.02;
2. An order by a general district court granting an application to compel arbitration;
3. An order granting an application to stay arbitration made under subsection B of § 8.01-581.02;
4. An order confirming or denying an award;
5. An order modifying or correcting an award;
6. An order vacating an award without directing a rehearing; or
7. A judgment or decree entered pursuant to the provisions of this article.

The appeal shall be taken in the manner and to the same extent as from orders or judgments in a civil action.

B. No appellate court shall have jurisdiction to review a trial court's interlocutory order denying a motion to compel arbitration or otherwise concluding that an arbitration agreement is unenforceable or does not cover a particular claim. Appellate review of the denial of a motion to compel arbitration may be taken after final judgment has been entered by the trial court. An interlocutory appeal shall be permitted if the trial court orders arbitration and dismisses the action or stays the litigation.

INTRODUCED

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