

4/3/80

Memorandum 80-27

Subject: 1980 Legislative Program

Attached (buff page) is a report on the 1980 Legislative Program. So that the Commission will be aware of the amendments made to the various bills, we outline them below.

1980 Cal. Stats. ch. 44 (AB 1676) - Quiet Title Actions

This bill was enacted after the amendments previously approved in substance by the Commission had been made.

AB 2115 - Agreements for Entry of Paternity and Support Judgments

This bill was substantially amended by the Assembly Judiciary Committee. The bill needs further consideration by the Commission. See First Supplement to Memorandum 80-27.

AB 2116 - Enforcement of Liens and Judgments After Death

This bill has not been amended.

AB 2117 - Married Women as Sole Traders

This bill was amended to add a savings clause. A copy of the bill is attached.

AB 2118 - Guardianship-Conservatorship

This bill has been substantially amended to make various technical corrections required to deal with problems created by legislation enacted after the 1979 comprehensive guardianship-conservatorship statute. We do not have a copy of the bill in its latest amended form since the amendments will be made on April 7.

AB 2119 - Veterans Guardianship Act

This bill was amended to add the savings clause previously approved in substance by the Commission.

AB 2120 - Special Assessment Liens When Property Acquired for Public Use

This bill has not been amended.

AB 2121 - Valuation Evidence

This bill has been amended to make the changes previously approved in substance by the Commission. The bill needs further consideration by the Commission. See Second Supplement to Memorandum 80-27.

AB 2146 - Enforcement of Claims and Judgments Against Public Entities

Several technical amendments were made to this bill. The significant amendment made to the bill revises proposed Section 906 (pages 5-6 of enclosed bill) relating to payment of interest on allowed claims. The significant provision is paragraph (1) of subdivision (b). This amendment was adopted by the Assembly Ways and Means Committee to satisfy objections from the Department of Finance and the State Board of Control. If the State Board of Control finds further technical amendments are needed, the staff plans to work out the necessary amendments.

AB 2184 - Probate Homestead

A correction has been made in the digest of the bill prepared by the Legislative Counsel; the bill itself has not been changed.

ACR 101 - Continues Authority to Study Existing Topics

No amendments to this resolution.

ACR 107 - Authorizes Study of Four New Topics

You may find this of interest. A copy is attached.

SB 1538 - Security for Costs

No amendments to this bill.

SB 1539 - Assignments for Benefit of Creditors

No amendments to this bill.

SB 1540 - Vacation of Public Streets and Service Easements

No amendments to this bill.

SB 1541 - State Tax Liens

A number of technical amendments are being made to this bill. We do not yet have copies of the amended bill.

SB 1542 - Interest Rate on Judgments

No amendments to this bill.

Respectfully submitted,

John H. DeMouilly
Executive Secretary

CALIFORNIA LAW REVISION COMMISSION

1980 LEGISLATIVE PROGRAM

April 3, 1980

ENACTED

1980 Cal. Stats. ch. 44--AB 1676 - Quiet Title Actions (comprehensive revision)

PASSED FIRST HOUSE

- AB 2116 - Enforcement of Liens and Judgments After Death (comprehensive revision) (set for hearing by Senate Judiciary Committee on May 6)
- AB 2117 - Married Women as Sole Traders (repeal of obsolete statute) (set for hearing by Senate Judiciary Committee on May 6)
- AB 2118 - Guardianship-Conservatorship (follow-up on 1979 comprehensive revision) (set for hearing by Senate Judiciary Committee on May 6)
- AB 2119 - Veterans Guardianship Act (repeal of obsolete statute) (to be set for hearing by Senate Committee on Government Operations)
- AB 2120 - Special Assessment Liens When Property Acquired for Public Use (comprehensive revision) (set for hearing by Senate Judiciary Committee on May 6)
- AB 2184 - Probate Homestead (comprehensive statute) (to be set for hearing by Senate Judiciary Committee on May 6)
- ACR 101 - Continues Authority to Study Existing Topics (set for hearing by Senate Judiciary Committee on May 6)

SENT TO FLOOR IN FIRST HOUSE

- AB 2115 - Agreements for Entry of Paternity and Support Judgments (comprehensive revision to remedy constitutional defects in existing statute) (Committee amendments need to be drafted before bill is sent to floor)
- AB 2146 - Enforcement of Claims and Judgments Against Public Entities (comprehensive revision)
- ACR 107 - Authorizes Study of Four New Topics

SET FOR HEARING IN FIRST HOUSE

- SB 1538 - Security for Costs (repeal of a number of unconstitutional statutes) (set for hearing by Senate Judiciary Committee on April 15)
- SB 1539 - Assignments for Benefit of Creditors (repeal of unnecessary statute) (set for hearing by Senate Judiciary Committee on April 15)

(continued on back)

- SB 1540 - Vacation of Public Streets and Service Easements (comprehensive revision) (set for hearing by Senate Transportation Committee on April 15)
- SB 1541 - State Tax Liens (consolidation of 14 statutes, eliminating 14,000 words) (set for hearing by Senate Judiciary Committee on April 15)
- SB 1542 - Interest Rate on Judgments (set for hearing by Senate Judiciary Committee on April 22)
- AB 2121 - Valuation Evidence (comprehensive revision) (This proposal has no chance of enactment in its present form; it is opposed by the California State Bar and by the California Real Estate Association) (set for hearing by Assembly Judiciary Committee on April 30)

NOT INTRODUCED

Psychotherapist-Patient Privilege (Assemblyman Imbrecht decided not to reintroduce this proposal)