

#34(L)

First Supplement to Memorandum 64-32

Subject: Study No. 34(L) - Uniform Rules of Evidence (New Evidence Code--
Division 1)

Section 3

The comment to Section 3 of the new code should be revised to read:

COMMENT

Provisions similar to this section apply to all the existing California codes except the new Commercial Code. E.g., VEH. CODE § 2. See also C.C.P. § 5. Section 5 of the Civil Code continues "the common law" as well as "existing statutes."

Section 5

Section 1108 of the California Uniform Commercial Code contains the following severability clause that applies to the entire code:

If any provision or clause of this code or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the code which can be given effect without the invalid provision or application, and to this end the provisions of this code are declared to be severable.

Respectfully submitted,

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