

Legis. Prog.

March 31, 2000

Memorandum 2000-21

2000 Legislative Program (Status of Bills)

Attached is a chart showing the current status of bills in the Commission's 2000 legislative program. We will update the chart orally at the meeting. This memorandum presents supplemental information concerning some of the proposals.

AB 321 (Wildman): Eminent Domain Valuation Evidence. This recommendation would clarify obscure language in Evidence Code Section 822(a)(1). The bill was introduced last year and has passed both houses; it is pending concurrence in the Assembly. The bill is hung up on an unrelated matter. Assemblyman Wildman's office has indicated they intend to proceed with the Commission's part of the bill, whether or not they are able to work out the disputed matter.

AB 1822 (Wayne): Administrative Rulemaking. Issues on this bill are discussed in Memorandum 2000-34, scheduled for consideration at the Commission's April meeting.

SB 1370 (Ortiz): Settlement Negotiations. Issues on this bill are discussed in Memorandum 2000-22, scheduled for consideration at the Commission's April meeting.

SB 1487 (Knight): Trout Affidavit. Senator Knight has introduced the Commission's tentative recommendation to repeal the trout affidavit. The Commission has not made a final recommendation on this matter. Comments on the tentative recommendation are discussed in Memorandum 2000-31, scheduled for consideration at the Commission's April meeting.

Enforcement of Judgments Under the Family Code. This recommendation is designed to untangle the statutory confusion between Code of Civil Procedure and Family Code enforcement of judgments provisions. It is being considered for inclusion in an omnibus bill relating to child support (AB 1358 – Shelley and Kuehl).

Authority to Appoint a Receiver. This recommendation would eliminate differences in a court's authority to appoint a receiver depending on whether the

underlying litigation is in superior court or in municipal court, and whether the case is classified as a limited civil case or otherwise. It is not of sufficient magnitude to justify its own bill. It is currently being considered for inclusion in the Assembly Judiciary Committee omnibus civil practice bill (AB 1669).

Goodwill Issues in Eminent Domain. This recommendation would clear up a number of technical questions that have arisen in connection with compensation for loss of business goodwill in eminent domain proceedings. It is not of sufficient magnitude to justify its own bill. It is currently being considered for inclusion in the Assembly Judiciary Committee omnibus civil practice bill (AB 1669).

Jurisdictional Classification of Good Faith Improver Claim. This recommendation would amend Code of Civil Procedure Section 871.3 to clarify the jurisdictional classification of a case that includes a good faith improver claim. It is not of sufficient magnitude to justify its own bill. It is currently being considered for inclusion in the Assembly Judiciary Committee omnibus civil practice bill (AB 1669).

Respectfully submitted,

Nathaniel Sterling
Executive Secretary

Status of 2000 Commission Legislative Program

As of March 31, 2000

	AB 321	AB 1358	AB 1491	AB 1822	AB 2939	SB 1370	SB 1487	Budget
Introduced	1999	1999	1999	Feb 3	Mar 28	Jan 19	Feb 11	Jan 10
Last Amended	8/24/99	Jan 3	Mar 23	Mar 13				
Policy Committee	5/11/99	—	—	Apr 11	May		Mar 14	Apr 25
Fiscal Committee	—	—	—	—	—	—	Mar 23	
Passed House	6/4/99	—	—					
Policy Committee	8/17/99		Mar 28					Mar 2
Fiscal Committee	—		—	—	—	—		
Passed House	8/26/99							
Concurrence								
Governor	Received							
	Approved							
Secretary of State	Date							
	Chapter #							

Index: AB 321 (Wildman): Eminent Domain Valuation Evidence
 AB 1358 (*Assembly Judiciary*): includes *Family Code Enforcement*
 AB 1491 (Kaloogian): Alternate Distributees
 AB 1822 (Wayne): Administrative Rulemaking
 AB 2939 (Assem. Natural Resources): Air Resources Technical Revs.
 SB 1370 (Ortiz): Settlement Negotiations
 SB 1487 (Knight): Trout Affidavit

Budget: AB 1740 and SB 1344

KEY

Italics: Future or speculative
 "—": Not applicable