

Legis. Prog.

July 3, 2002

Memorandum 2002-28**2002 Legislative Program**

Attached to this memorandum is a chart showing the status of bills in the Commission's 2002 legislative program. Exhibit p. 1. This memorandum presents additional information concerning a few matters.

We will update this memorandum at the meeting with any further information we have at that time.

COMMISSION RECOMMENDATIONS**AB 568 (Dutra) — Double Liability Problem in Home Improvement Contracts**

The mechanic's lien bill was set for hearing in the Senate Judiciary Committee at the end of May, but the Committee pulled the bill so that the author could work with various interest groups to attempt to remove opposition. Due to the intractable nature of some of the opposition, the complexity of alternative approaches to the problem (which have been investigated in some depth by the Commission over the past two plus years), and the press of other legislative business, AB 568 has not yet been reset for hearing. The current version of the bill is in the form reviewed by the Commission at the May meeting and we have not seen any proposed amendments to date.

ACA 15 (Wayne) — Trial Court Restructuring (Constitutional Amendment)

The measure to remove municipal court references from the Constitution has been adopted by the Legislature. It will appear on the November ballot for approval of the voters.

SB 1316 (Senate Judiciary Committee) — Trial Court Restructuring (Statutory Revision)

The bill has been amended to include a subordination clause, so that it will not override ("chapter out") other bills that revise provisions appearing in it. The staff has been working with numerous authors to ensure that the revisions proposed by the Commission are enacted despite the subordination clause. Some

of the bill conflicts have been successfully resolved, others are in progress, and a few will need to be addressed next year.

SB 1316 needs to be further amended to:

- (1) Correct a misspelling (“opative” instead of “operative”).
- (2) Account for a conflict with Legislative Counsel’s annual bill on maintenance of the codes — AB 3034 (Committee on Judiciary). That bill would amend Code of Civil Procedure Section 116.950 to refer to the Secretary of Technology, Trade, and Commerce, instead of the Secretary of the Trade and Commerce Agency. SB 1316 would amend the same provision to delete an obsolete reference to municipal court. Because both bills include a subordination clause, SB 1316 must be amended to ensure that both of these technical revisions become law.
- (3) Delete the proposed amendment of Government Code Section 69952, because the Administrative Office of the Courts wants to give the matter further study.
- (4) Correct a reference to “juvenile referee” in Government Code Section 71601(i). The proper term is “juvenile *court* referee.”

Assuming that the Commission approves these amendments, some Comments need to be revised to reflect these and other revisions made in the legislative process. The revised comments are attached for the Commission’s review and approval. Exhibit pp. 2-10.

Stay of Mechanics Lien Enforcement Pending Arbitration

The Commission adopted its recommendation to simplify the procedure for obtaining a stay of enforcement pending arbitration of a mechanics lien after the legislative bill introduction deadline for 2002 had passed. We had hoped to find a vehicle for the proposal in the 2002 legislative session, but were unsuccessful. We will hold the measure for introduction in the 2003 legislative session.

ALSO OF INTEREST

ACR 125 (Papan) — Protection of Personal Information

ACR 125 would direct the Commission to study, report on, and prepare recommended legislation concerning the protection of personal information relating to or arising out of financial transactions. The measure makes the study contingent on availability of funding, and authorizes expenditure of private funds for the study.

The Assembly budget subcommittee approved an augmentation of the Commission's budget in the amount of \$75,000 for the first year of the study. The augmentation has since been rejected by the budget conference committee and is no longer included in the budget bill.

If the resolution is approved by the Legislature, we must be circumspect about any acceptance of private funds for the study.

The measure has passed the Assembly and is pending in the Senate Judiciary Committee.

SCR 81 (Machado) — Uniform Money Services Act

SCR 81 would direct the Commission, through existing resources, to study and make recommendations to the Legislature concerning the advisability of California consolidating and revising its licensing laws governing money transmission, sales and issuance of payment instruments, sales and issuance of traveler's checks, check cashing, and currency exchange, into a single law similar to the Uniform Money Services Act. The study would be made with the assistance of the Department of Corporations and the Department of Financial Institutions, and with technical assistance from the regulated industry. The study would be due by December 31, 2005.

The measure has passed the Senate and is pending in the fiscal committee in the Assembly.

Respectfully submitted,

Nathaniel Sterling
Executive Secretary

Status of 2002 Commission Legislative Program

As of July 3, 2002

		AB 568	AB 1770	AB 1784	AB 1857	ACA 15	ACR 123	SB 1316	SB 1322	SB 1323	SB 1371	SB 2061
	Introduced	2/21/01	Jan 9	Jan 14	Jan 30	Jan 7	Jan 7	Jan 24	Jan 28	Jan 29	Feb 7	Feb 22
	Last Amended	May 28		Apr 30	Jun 12	Apr 2		Jun 18	Mar 13	Mar 7		Apr 29
First House	Policy Committee	—	Apr 2	May 7	Apr 9	Apr 9	Apr 9	Apr 23	Mar 19	Mar 20	Mar 19	May 7
	Fiscal Committee	—	—	—	Apr 24	Apr 30*	May 8	May 13	—	—	—	—
	Passed House	—	Apr 4	May 16	May 2	May 9	May 16	May 23	Apr 4	Apr 4	Apr 4	May 16
Second House	Policy Committee		Jun 4	Jun 18	Jun 18	Jun 11	Jun 18	Jun 11	Jun 4	Jun 5	Jun 4	Jun 4
	Fiscal Committee		—	—		Jun 24*			—	—	—	—
	Passed House			Jun 27		Jun 27			Jun 10	Jun 13	Jun 10	Jun 10
Concurrence & Enrollment				Jun 27		Jun 27			Jun 10	Jun 13	Jun 10	Jun 10
Governor	Received			Jul 3		—	—		Jun 12	Jun 17	Jun 12	Jun 12
	Approved					—	—		Jun 21	Jun 28	Jun 21	Jun 21
Secretary of State	Date					Jun 27			Jun 21	Jun 30	Jun 21	Jun 21
	Chapter #					Res 88			68	94	71	72

Bill List: AB 568 (Dutra): Double Liability Problem in Home Improvement Contracts
 AB 1770 (Papan): Evidence of Prejudgment Deposit Appraisal in Eminent Domain
 AB 1784 (Harman): Rules of Construction for Trusts and Other Instruments
 AB 1857 (Wayne): Administrative Rulemaking Refinements

SB 1316 (Senate Judiciary Committee): Trial Court Restructuring (Statutory Revision)
 SB 1322 (Ackerman): Debtor-Creditor Technical Revisions
 SB 1323 (Ackerman): Municipal Bankruptcy
 SB 1371 (Morrow): Cases in Which Court Reporter Is Required
 SB 2061 (Morrow): Electronic Communications and Evidentiary Privileges

ACA 15 (Wayne): Trial Court Restructuring (Constitutional Amendment)
 ACR 123 (Wayne): Resolution of Authority

Also of Interest:
 ACR 125 (Papan): Protection of Personal Information
 SCR 81 (Machado): Uniform Money Services Act

KEY

Italics: Future or speculative
 “—”: Not applicable
 *: Double referral, not fiscal
 [date]: Deadline

July 3, 2002

REPORT OF THE
CALIFORNIA LAW REVISION COMMISSION
ON SENATE BILL 1316

Senate Bill 1316 was introduced by the Senate Committee on Judiciary. It implements the California Law Revision Commission recommendation on *Statutes Made Obsolete by Trial Court Restructuring: Part 1*, 32 Cal. L. Revision Comm'n Reports 1 (2002). The new and revised Comments set out below supplement and supersede the comparable Comments in the recommendation and reflect amendments to the bill made during the legislative process.

Gov't Code § 70219 (added). Judicial Council and Law Revision Commission studies and recommendations

Comment. Section 70219 continues former Section 70219 without substantive change. For provisions relating to restatements and continuations of existing law, see Section 2.

Gov't Code § 71266 (added). Fees to be collected by marshals

Comment. Section 71266 continues former Section 71266 without substantive change. For provisions relating to restatements and continuations of existing law, see Section 2.

Gov't Code §§ 72600-72784 (repealed). Los Angeles County municipal court districts

Comment. Sections 72600-72784 are repealed to reflect:

(1) Unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000. See Sections 70211 (former municipal court judgeships continued as superior court judgeships), 70212 (transitional provisions). See also Sections 68070 (local rules of court), 69508 (presiding judge), 69586 (number of judges in Los Angeles County); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection); Cal. R. Ct. 6.603 (authority and duties of presiding judge). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Los Angeles County, effective January 1, 1994. See Sections 26639-26639.3 (sheriff-marshall consolidation). See also Sections 26726 (fees for sheriff keeping property under attachment, execution, possession, or sale), 77212.5(a) (agreement with sheriff's department regarding court security services).

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71612 (existing terms of employment not affected), 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 68086 (fees for reporting services), 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

Gov't Code § 72711. Reporting and transcription fees

Comment. Subdivision (a) of Section 72711 continues the first paragraph of former Section 72711, with revisions to reflect the repeal of Article 3 (commencing with former Section 72700). See Section 68086 (fees for reporting services).

Subdivision (b) continues the second paragraph of former Section 72711, replacing “county treasury” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations); Cal. R. Ct. 810 (court operations).

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72711 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

Gov't Code § 72711.5. Electronic or stenographic recording

Comment. Section 72711.5 continues former Section 72711.5, replacing the reference to former Section 72194.5 with a reference to Section 69957, replacing “per diem” with “reporting” for consistency of terminology, and replacing “county treasury” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations); Cal. R. Ct. 810 (court operations).

For provisions relating to restatements and continuations of existing law, see Section 2.

Gov't Code § 72713 (added). Reporters' salary fund deficiency

Comment. Subdivision (a) of Section 72713 continues the first paragraph of former Section 72713, replacing “general fund of the county” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

Subdivision (b) continues the second paragraph of former Section 72713 without substantive change.

For provisions relating to restatements and continuations of existing law, see Section 2.

Gov't Code §§ 73100-73122 (repealed). San Bernardino County Municipal Court District

Comment. Sections 73100-73122 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Bernardino County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 10, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Sections 69508 (presiding judge), 69594 (number of judges in San Bernardino County); Cal. Const. art. VI, § 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in San Bernardino County, effective October 9, 1999. *Cf.* Section 26603 (sheriff shall attend superior court). For provisions governing keepers fees, see Sections 26726 (fees for sheriff keeping property under attachment, execution, possession, or sale), 71266 (sheriff fee statutes applicable to marshals), 72112 (deputy marshals serving as custodians).

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 68086 (fees for reporting services), 69941 (appointment of official reporters), 69953.5 (daily transcript requiring more than one reporter), 72190 (court commissioners).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

Gov’t Code §§ 73390-73399.7 (repealed). Kings County Municipal Court

Comment. Sections 73390-73399.7 are repealed to reflect:

(1) Unification of the municipal and superior courts in Kings County pursuant to Article VI, Section 5(e), of the California Constitution, effective February 8, 2001. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69585.5 (number of judges in Kings County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69953 (payment of fees).

Gov’t Code §§ 73430-73443 (repealed). Kern County municipal court districts

Comment. Sections 73430-73443 are repealed to reflect:

(1) Unification of the municipal and superior courts in Kern County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 2000. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69585 (number of judges in Kern County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69953 (payment of fees).

Gov’t Code §§ 73640-73650 (repealed). El Cajon Municipal Court District

Comment. Sections 73640-73650 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also

Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations), 77211 ("900" telephone numbers). See also Section 69953 (payment of fees).

Gov't Code §§ 73698-73699.6 (repealed). Central Valley Municipal Court District

Comment. Sections 73698-73699.6 are repealed to reflect:

(1) Unification of the municipal and superior courts in Fresno County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 69508 (presiding judge), 69583 (number of judges in Fresno County); Cal. Const. art. VI, § 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69953 (payment of fees).

Gov't Code §§ 73730-73743 (repealed). Imperial County Municipal Court

Comment. Sections 73730-73743 are repealed to reflect:

(1) Unification of the municipal and superior courts in Imperial County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 22, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69584.5 (number of judges in Imperial County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of

trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69953 (payment of fees).

Gov't Code §§ 73770-73783 (repealed). Marin County Municipal Court

Comment. Sections 73770-73783 are repealed to reflect:

(1) Unification of the municipal and superior courts in Marin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 11, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69588 (number of judges in Marin County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters), 72190 (court commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68086 (fees for reporting services in civil cases generally), 69953 (payment of fees).

Gov't Code §§ 73950-73960 (repealed). North County Municipal Court District

Comment. Sections 73950-73960 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l)-(m) ("trial court employee" defined), 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations), 77211 ("900" telephone numbers). See also Sections 68073 (responsibility for court operations and facilities), 69953 (payment of fees).

(4) Elimination of the marshal's office as a result of consolidation with the sheriff's office in San Diego County, effective January 1, 2000.

Gov't Code §§ 74340-74353 (repealed). San Diego Municipal Court District

Comment. Sections 74340-74353 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district); Veh. Code §

40508.6 (administrative assessments). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l)-(m) (“trial court employee” defined), 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69953 (payment of fees).

(4) Elimination of the marshal’s office as a result of consolidation with the sheriff’s office in San Diego County, effective January 1, 2000.

Gov’t Code §§ 74500-74521 (repealed). City and County of San Francisco Municipal Court

Comment. Sections 74500-74521 are repealed to reflect:

(1) Unification of the municipal and superior courts in the City and County of San Francisco pursuant to Article VI, Section 5(e), of the California Constitution, effective December 31, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69596 (number of judges in City and County of San Francisco).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68086 (fees for reporting services in civil cases generally), 69953 (payment of fees).

Gov’t Code §§ 74600-74613 (repealed). San Luis Obispo County Municipal Court

Comment. Sections 74600-74613 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Luis Obispo County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 69508 (presiding judge), 69598.5 (number of judges in San Luis Obispo County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of

trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69953 (payment of fees).

Gov't Code §§ 74640-74649 (repealed). Santa Barbara County municipal court districts

Comment. Sections 74640-74649 are repealed to reflect:

(1) Unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69599.5 (number of judges in Santa Barbara County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Santa Barbara County, effective January 1, 1997.

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters), 72190 (court commissioners).

(4) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 68073 (responsibility for court operations and facilities).

Gov't Code §§ 74660-74673 (repealed). Santa Clara County Municipal Court

Comment. Sections 74660-74673 are repealed to reflect:

(1) Unification of the municipal and superior courts in Santa Clara County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 30, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69600 (number of judges in Santa Clara County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters), 72190 (court commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68086 (fees for reporting services in civil cases generally), 69953 (payment of fees).

Gov't Code §§ 74740-74750 (repealed). South Bay Municipal Court District

Comment. Sections 74740-74750 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also

Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l)-(m) (“trial court employee” defined), 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations), 77211 (“900” telephone numbers). See also Section 69953 (payment of fees).

Gov’t Code §§ 74780-74792 (repealed). Stanislaus County Municipal Court

Comment. Sections 74780-74792 are repealed to reflect:

(1) Unification of the municipal and superior courts in Stanislaus County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69604 (number of judges in Stanislaus County); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal’s office as a result of consolidation with the sheriff’s office in Stanislaus County, effective March 1, 1992. For provisions relating to the sheriff, see Sections 26603 (superior court attendance), 26608, 26609, 26660-26665 (process and notices), 26611 (court crier), 26720-26751 (fees). See also Code Civ. Proc. § 262.4 (conveyances on sale of real estate).

(3) The fact that provisions relating to the Court Services Bureau and Court Security Services Oversight Committee are obsolete. See Section 77212.5(a) (agreement with sheriff’s department regarding court security services).

(4) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters).

(5) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69953 (payment of fees).

Gov’t Code §§ 74960-74973 (repealed). Yolo County Municipal Court

Comment. Sections 74960-74973 are repealed to reflect:

(1) Unification of the municipal and superior courts in Yolo County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69610 (number of judges in Yolo County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment

protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69953 (payment of fees).

Veh. Code § 40508.6 (amended). Administrative assessments

Comment. Section 40508.6 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The section is also amended to reflect enactment of the Trial Court Funding Act. See Gov’t Code § 77001 (local trial court management).