

## First Supplement to Memorandum 2006-22

**Statutes Made Obsolete By Trial Court Restructuring:  
Miscellaneous Issues**

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Memorandum 2006-22 suggests revisions of a number of provisions to reflect trial court restructuring. A few of those provisions are currently included in bills that appear to be moving towards enactment:

- (1) **Bus. & Prof. Code § 12606.2.** Senate Bill 1852 (Committee on Judiciary) is the annual Maintenance of the Codes bill prepared by the Office of Legislative Counsel. It would amend Business and Professions Code Section 12606.2 to make some minor technical changes, almost all of which are also incorporated into the proposed amendment shown at pages 26-28 of Memorandum 2006-22. Unfortunately, the bill would also delete the municipal court reference in Section 12606.2(c) in a manner that differs from the proposed amendment shown in Memorandum 2006-22. Specifically, the bill would delete the municipal court reference but would not (i) delete the unnecessary reference to “the city” in which the superior court is located, or (ii) add any language to subdivision (c) regarding jurisdictional classification. The bill is currently pending in the Senate Judiciary Committee. If the bill is enacted in its current form, the omitted revisions (deletion of the unnecessary reference to “the city” and addition of language regarding jurisdictional classification) could be incorporated into the new version of Section 12606.2. They would be somewhat more difficult to explain than if they were made at the same time as deletion of the municipal court reference. Because the Maintenance of the Codes bill is bulky and costly to amend, it would not be advisable to request an amendment solely to reinstate the municipal court reference. If the bill is going to be amended for other reasons, however, such an amendment might be helpful. The staff will check on whether there are any plans to amend the bill. It was already amended recently, so we suspect no further amendments are planned.
- (2) **Code Civ. Proc. § 580.** Assembly Bill 2126 (Lieu & Leno), implementing the Commission’s recommendation on *Enforcement of Judgments Under the Family Code*, would amend Code of Civil Procedure Section 580. The bill is currently pending in the Senate Appropriations Committee. If the bill is enacted, it will be a simple matter to incorporate the reforms suggested at page 21 of Memorandum 2006-22 into the new version of Section 580.

- (3) **Penal Code § 977.** Assembly Bill 2174 (Villines) would amend this provision in a manner unrelated to trial court restructuring. The bill is currently pending in the Senate Public Safety Committee. If the bill is enacted, it will be a simple matter to incorporate the reforms suggested at pages 3-5 of in Memorandum 2006-22 into the new version of Penal Code Section 977.

Respectfully submitted,

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