

Memorandum 2009-16

2009 Legislative Program: Status of Bills

The attached chart indicates the status of the Commission's 2009 legislative program. Noteworthy developments are discussed below. The staff will update this report orally at the meeting.

ACR 49 (EVANS): RESOLUTION OF AUTHORITY

The Commission's resolution of authority has been introduced as Assembly Concurrent Resolution 49 by Assembly Member Noreen Evans. At the Commission's request, the resolution would delete the Commission's authority to study offers of compromise. See Minutes (October 2008), p. 3.

SB 189 (LOWENTHAL): MECHANICS LIENS

Senate Bill 189 has been introduced by Senator Alan Lowenthal to implement the Commission's recommendation on *Mechanics Lien Law*, 37 Cal. L. Revision Comm'n Reports 527 (2007).

As anticipated, the bill will proceed as a two-year bill, with final consideration of the bill in 2010. This will provide adequate time for affected stakeholders and legislative staff to review this very long bill.

Note that the staff is monitoring a related bill, Assembly Bill 457 (Monning), which would require notice to a property owner before recording a mechanics lien.

CHARTER SCHOOLS AND THE GOVERNMENT CLAIMS ACT

As discussed in the First Supplement to Memorandum 2009-1, Senate Bill 108 was introduced by Senator Mimi Walters to require that the Commission study the application of the Government Claims Act to charter schools.

Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The bill was amended on March 23, 2009, to remove that requirement. As presently drafted, the bill would not impose any new duties on the Commission.

Respectfully submitted,

Brian Hebert
Executive Secretary

Status of 2009 Commission Legislative Program

As of April 15, 2009

		ACR 49	AB 176	AB 1163		SB 105	SB 189				
Introduced Last Amended		3/10/09	2/2/09	2/27/09		1/27/09	2/18/09				
				3/26/09							
First House	Policy Committee		3/17/09	4/21/09		5/5/09	2-Year Bill				
	Fiscal Committee		—	—							
	Passed House		3/23/09								
Second House	Policy Committee										
	Fiscal Committee										
	Passed House										
Concurrence											
Governor	Received										
	Approved										
Secretary of State	Date										
	Chapter #										

Bill List: ACR 49 (Evans): Resolution of Authority
 AB 176 (Silva): References to Recording Technology
 AB 1163 (Tran): Attorney-Client Privilege After Death of Client

SB 105 (Harman): Donative Transfer Restrictions, No Contest Clause: Conforming Revisions
 SB 189 (Lowenthal): Mechanics Lien Law

Also of Interest:
 AB 457 (Monning): Mechanics Lien Law

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