

## Memorandum 2010-41

**Legislative Program: Status of SB 189 (Lowenthal)**

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This memorandum reports on the status of Senate Bill 189 (Lowenthal), intended to implement the Commission's recommendation on *Mechanics Lien Law*, 37 Cal. L. Revision Comm'n Reports 527 (2007). The bill is largely a nonsubstantive reorganization of the existing mechanics lien statute that would primarily clean up and simplify the presentation of that law.

Since the last Commission meeting in August, the staff's primary work on the bill involved adding statutory coordinating language to the bill, in order to avoid any conflict with two other pending mechanics lien bills, Assembly Bill 2216 (Fuentes) and Assembly Bill 2419 (Cook).

Following the addition of that language, the staff is pleased to report that the bill, which had previously passed out of the Senate on a unanimous vote, and passed out of the Assembly with a unanimous vote on August 17, 2010, was enrolled by the Legislature on August 27, 2010, and was signed by the Governor and chaptered, on September 30, 2010. See 2010 Cal. Stat. ch. 697.

Although the two mechanics lien bills referred to above were ultimately not enacted (thereby ensuring no statutory conflict with the main substantive text of SB 189), one or more enacted bills may have amended and rendered ineffective one or more of the technical "conforming revisions" to existing code sections contained in SB 189. The staff will research whether any enacted bill caused this to occur, and if so will present proposed corrective legislation to the Commission at a future Commission meeting, along with any other needed "clean-up" legislation.

Respectfully submitted,

Steve Cohen  
Staff Counsel

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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](http://www.clrc.ca.gov)). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting.